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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 1505/2025**

STATE

.....Appellant

Through: Mr. Utkarsh, APP for the State.

versus

LAXMAN & ANR.

.....Respondents

Through: Mr Anuj Rajpal, Advocate with
Respondents.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

06.11.2025

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1. Appeal under Section 378(1) of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.PC'*) has been filed on behalf of the Appellant/State against the impugned Order and Judgment dated 11.09.2018 of learned ASJ, Central District, Tis Hazari Courts, Delhi in FIR No. 492/2015 under Section 323/324/34 registered at Police Station Subzi Mandi.

2. Learned counsel on behalf of the Respondents, submits that the Respondent No. 1, namely, Laxman Singh, is aged about 27 years and had suffered head injury, because of which, he has suffered loss of memory. The Respondent No. 2, namely, Deepak is about 40 years old. Both the Respondents are earning their livelihood by delivering the water bottles. They have clean antecedents and were never ever involved in any criminal case before.

3. It is further submitted that the Respondents are living in the



neighborhood of the Complainant and in the incident, that took place on 29.09.2015, Cross-FIRs were registered and both the FIRs ended up in acquittal. However, the State had preferred Appeal only in this Case in which, they have been held guilty for the offence under Section 323 IPC. Since the date of incident, the Respondents are living in the same neighborhood amicably and there has never been any dispute. It is, therefore, submitted that the leniency may be adopted while sentencing the Respondents.

4. Learned APP on behalf of the State has argued that the FIR got registered in the year 2015 and the matter is pending since then.

Submissions heard and the record perused.

5. The incident happened on 29.09.2015 in regard to which the Cross-FIRs were registered and they both ended up in the acquittal. However, the State chose to file an Appeal only in the present Case. The Respondents and the Complainant were living in the neighborhood.

6. Considering the totality of circumstances, as submitted by learned Counsel for the Respondents, both the Respondents are sentenced to imprisonment till rising of the Court.

7. The Appeal is disposed of accordingly.

NEENA BANSAL KRISHNA, J

NOVEMBER 6, 2025/RS