



\$~72

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

+ **CRL.A. 1683/2025 and CRL.M.(BAIL) 2454/2025**

NEERAJ KUMAR @ GANGSTERAppellant

Through: Appearance not given.

versus

STATE NCT OF DELHIRespondent

Through: Ms. Kiran Bairwa, APP for the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **11.12.2025**

CRL.M.A. 37014/2025

1. Exemption allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.A. 1683/2025 and CRL.M.(BAIL) 2454/2025

3. Appeal under Section 415 of B.N.S.S. has been filed on behalf of the Appellant Neeraj Kumar @ Gangster challenging Judgment dated 01.12.2025 and Order on Sentence dated 05.12.2025 passed by learned ASJ (FTC)-01, West District, Tis Hazari Court, Delhi, whereby he along with co-convict was convicted under Sections 325/34 IPC to undergo RI for 03 years and 06 months with fine of Rs.10,000/- (in default of payment of fine, to undergo SI for 30 days) in FIR No.0385/2015.
4. Learned APP for the State appears on advance Notice.
5. Learned counsel for the Appellant submits that he is not challenging the Judgment on merits and only seeks modification of Order on Sentence, since as per his Nominal Roll dated 04.12.2025, he has already undergone 03



years 01 month and 10 days. It is further submitted that he is in judicial custody since 05.12.2025, i.e. the date of passing of Order on Sentence.

6. It is further submitted that even as per the case of prosecution and the observations made in Judgment, he was only an accomplice, while main accused was Ashwani @ Achi. Appellant is a young man of 35 years with family comprising of his wife, children and aged parents to take care of. FIR was registered on 20.05.2015 and since then, he has been facing trial.

7. Considering the totality of the circumstances, Order on Sentence dated 05.12.2025 is modified to the period already undergone, but the fine amount is enhanced from Rs.10,000/- to Rs.25,000/-, out of which Rs.15,000/- be paid by the Appellant to the Complainant.

8. Appeal along with pending Applications is disposed of.

9. A copy of this Order be communicated to the concerned Jail Superintendent and the Appellant be released, in case, his custody is not required in any other case.

NEENA BANSAL KRISHNA, J.

DECEMBER 11, 2025/R