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

+ CRL.A. 1172/2016

RAHUL CHAK

.....Appellant

Through: Appellant in person.

versus

STATE

.....Respondent

Through: Mr. Pradeep Gahalot, APP for State
with SI Priyanka Saini PS Najafgarh,
Delhi.

Ms. Aishwarya Rao, Advocate for
victim with Ms. Mansi, Advocate
alongwith the victim

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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10.09.2025

1. By way of present appeal, the appellant seeks to assail the judgement of conviction dated 06.10.2016 and order on sentence dated 13.10.2016 passed by the learned Sessions Court whereby the appellant has been acquitted of the offence under Section 376/506 IPC and Section 66E of the I.T. Act , however he has been convicted for the offence under Section 500 IPC and was sentenced to undergo SI for a period of two years with fine of Rs.10,000/-, in default thereof to undergo SI for six months.

The appellant's sentence was suspended by this Court vide order dated 19.05.2017.

2. A perusal of record would indicate that the appellant was initially charged for the offence punishable under Section 376/500/506 IPC and under Section 66E of the IT Act and upon completion of the trial, while



upholding the conviction under Section 500 IPC, the appellant was acquitted of the charge under Section 376/506 IPC and Section 66E of the IT Act on reaching a conclusion that the prosecutrix, being a major, had consensual relations with the appellant. A further perusal of record would show that the prosecutrix thereafter got married, after which the appellant had posted a joint picture of himself with the prosecutrix as a display profile, which was done without her consent and resulted in his conviction under Section 500 IPC.

3. The appellant is present in person in the Court and he has handed over his gate pass, which is taken on record. He submits that he is remorseful and being aware of the consequences, does not wish to press the present appeal on merits. He accepts his guilt and states that he has not repeated the act and further undertakes not to repeat in future. The undertaking is accepted and taken on record. He prays that he be released on the period already undergone by him in custody.

4. Learned APP states, upon instructions, that the appellant is not involved in any other case. In this regard, he has handed over a copy of the status report which is taken on record. Mr. Rao, learned counsel appearing for the victim, on instructions, states that the appellant has not committed any such act after his conviction.

5. The appellant is stated to be 34 years of age and is a sole bread earner of his family comprising of his mother and brother.

6. Keeping in view the fact that the incident pertains to the year 2015 and the fact that the appellant has already undergone about 3 months of his sentence, fine imposed has already been paid and the further fact that he has faced trial for 10 years, in view of the remorse shown as well as undertaking



given by him, the sentence of the appellant is reduced to the period already undergone by him in custody.

7. The appeal stands partly allowed. His bail bonds stand cancelled and sureties discharged.

8. A copy of this order be communicated to the concerned Jail Superintendent as well as to the Trial Court.

MANOJ KUMAR OHRI, J

SEPTEMBER 10, 2025/rd