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

+ CRL.A. 109/2026

STATE NCT OF DELHI

.....Appellant

Through: Mr. Shoaib Haider, APP for the State
with SI Ankush
Complainant in person

versus

SHIV SHANKER

.....Respondent

Through: Mr. Mayank Kumar, Mr. Damodar
Kumar, Advocates with Respondent
in person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **13.04.2026**

1. The Respondent has been convicted under Sections 279/304A IPC.
2. Learned Counsel for the Respondent submits that he was barely 22 years old at the time of accident in the year 2012 and is now 36 years old. He is married, has a wife and one minor son. He is a permanent resident of Delhi. Since the date of accident, he left driving the vehicle and has been doing odd job. Presently, working in a factory and earning Rs.17,000/- per month. He has extreme dependents and leniency is sought in the sentences.
3. The learned APP submits that the Complainant had got Rs.2.5 lakhs from MACT in the year 2016. He now has three daughters. He further submits that appropriate sentence may be passed against the Respondent and may consider granting some compensation.

Submissions heard and record perused.



4. It is an accident occurred in 2012. It has come on record that the Respondent who was barely 22 years old, did not run away from the spot and was apprehended on the spot itself along with the truck. Looking at his conduct, past precedence and his age and also the other circumstances, it is hereby directed that the Respondent is sentenced to a fine/compensation of Rs.75,000/- to be paid to the Complainant, who is present in the Court. The Respondent is accordingly sentenced under Sections 279/304A IPC.
5. It is hereby clarified that the said compensation amount shall be paid in three equal installments to be paid in three consecutive months, to be started from 01.05.2026. In case, the Respondent fails to pay the compensation, the Complainant/State is at liberty to keep the Respondent through the execution in terms of Section 431 IPC.
6. The Appeal is accordingly disposed of.

NEENA BANSAL KRISHNA, J

APRIL 13, 2026

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