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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.A. 301/2025, CRL.M.(BAIL) 558/2025 & CRL.M.A.
29559/2025

ASHUTOSH KUMARAppellant

Through: Mr. Dhruv Bhagat, Advocate.

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Pradeep Gahalot, APP for the
State with SI Somika, PS – Bindapur.
Mr. Vinayak Bhandari, Advocate for
DSLSEA.

CORAM:
HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

% **ORDER**
28.01.2026

1. This appeal under Section 415 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the appellant/accused in Sessions Case No. 12/2017 on the file of Additional Sessions Judge-01 (FTSC) (POCSO), Dwarka Courts, New Delhi, assailing the judgment and conviction dated 26.09.2024 as per which he has been found guilty of the offences punishable under Section 6 read with Sections 5(l) and (m) of the Protection of



Children from Sexual Offences, 2012. *Vide* the order on sentence, the appellant has been sentenced to undergo rigorous imprisonment for a period of 12 years with payment of a fine of ₹2,000/-.

2. The learned counsel for the appellant/accused submits that he would be addressing arguments only on the substantive sentence of imprisonment that has been imposed on the appellant. The appellant has filed **CRL.M.A. 29559/2025**, seeking reduction of the sentence from a period of 12 years to 10 years. It is submitted that the appellant/accused has served more than 7 years. He further submits that the fine amount has already been deposited. The latest nominal roll dated 21.04.2025 also states that a fine has been paid.

4. The appellant/accused was 20 years old at the time of the commission of the offence. He has no criminal antecedents. Therefore, taking into account the facts and circumstances of the case, it is deemed appropriate to modify the substantive sentence of imprisonment to rigorous imprisonment for a period of 10 years. The impugned judgment shall stand modified to the aforesaid



extent. The conviction and sentence shall stand confirmed.

5. In the result, the appeal is partly allowed and the substantive sentence of imprisonment shall stand modified to rigorous imprisonment for a period of 10 years in the place of 12 years.

6. The learned counsel for the DSLSA submits that the compensation as ordered by the trial court has been disbursed to the victim in this case. He, therefore, seeks discharge from the present case. The learned counsel for the DSLSA stands discharged.

7. The present appeal is disposed of as aforesaid.

8. Application(s), if any, pending shall stand closed.

CHANDRASEKHARAN SUDHA, J

JANUARY 28, 2026

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