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

\# **CNR No. DLHC011625852018**

\+ **CRL.A. 701/2018**

AMIT .....Appellant

Through: Mr. Mohit Batra, Adv.
Mr. Vikhyat Oberoi (*Amicus Curiae*)

versus

STATE .....Respondent

Through: Mr. Raghuvinder Verma, APP for the State.

CORAM:
HON'BLE MS. JUSTICE MADHU JAIN

O R D E R

% 29.10.2026

1. This hearing has been conducted through hybrid mode.

2. The present appeal has been filed under Section 374(2) of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'CrPC'), challenging the judgment of conviction dated 28.03.2018 and the order on sentence dated 31.03.2018 passed by the learned Additional Sessions Judge (FTC), North-West District, Rohini Courts, Delhi, in ***Sessions Case No. 263/2017*** arising out of ***FIR No. 878/2016***, registered at Police Station Vijay Vihar, District North-West, Delhi. The appellant in the aforesaid judgment was convicted for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC') and was thereafter *vide* the order on sentence, sentenced to undergo rigorous imprisonment (RI) for a

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period of seven (7) years with a fine of ₹20,000/-. In default of the payment of the said fine, he was directed to undergo simple imprisonment (SI) for a period of two (2) months.

3. The appellant has been produced today in Court from judicial custody (JC).

4. Learned counsel appearing on behalf of the appellant on instructions submits that the appellant does not wish to press his challenge to the aforementioned judgment of conviction.

5. He submits that he confines the present appeal only to the quantum of sentence imposed by the concerned learned Trial Court.

6. The learned counsel further submits that the appellant has already undergone more than two years and eight months of incarceration in the present case, that he has a family to support and that his marriage is fixed for 06.11.2026.

7. It is, therefore, prayed that the appellant be sentenced to the period already undergone by him.

8. Heard the learned counsel for the appellant and perused the material placed on record.

9. Considering the fact that the appellant does not wish to press the challenge to his conviction, the period of incarceration already undergone by him, and his family circumstances, the sentence awarded to the appellant by the concerned learned Trial Court is hereby reduced, and he is sentenced to the period already undergone by him.

10. The fine imposed by the concerned learned Trial Court is also reduced from ₹20,000/- to ₹10,000/-. In default of payment of this reduced fine, the appellant shall undergo simple imprisonment (SI) for a period of one week.

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11. The appellant shall accordingly be released forthwith, if not required in any other case, and subject to fulfillment of the aforesaid terms and conditions

12. Any excess amount of fine already deposited by him shall be refunded.

13. Accordingly, the present criminal appeal stands disposed of in the aforesaid terms.

14. Pending application(s), if any, also stand(s) disposed of.

15. Interim order(s), if any, also stand(s) vacated.

16. A copy of this order be sent to the concerned Jail Superintendent as well as the concerned learned Trial Court for information and necessary compliance.

17. The order be uploaded on the website *forthwith*.

MADHU JAIN, J

OCTOBER 29, 2026/*rt*/PG

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