

Manpreet Singh (In Jc) vs The State (Nct Of Delhi) on 8 May, 2023

Author: Jasmeet Singh

Bench: Jasmeet Singh

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.REV.P. 514/2023

MANPREET SINGH (IN JC)

..... Petitioner

Through: Mr Ajay Paul, Mr Dayanand Sharma,
Mr Sushant Chaudhary and Ms Anja
Negi, Advs.

versus

THE STATE (NCT OF DELHI)

..... Responde

Through: Mr Utkarsh, APP for State

ASI Ramesh Chand, PS-Tilak Nag

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% 08.05.2023

1. This is a revision petition challenging the order dated 13.04.2023 passed by learned ASJ-04 (West), Tis Hazari Court, Delhi in Appeal being C.A. No. 177/2019 titled „Manpreet Singh v. State . The learned MM vide judgment dated 04.06.2019 convicted the petitioner for the offence punishable under Sections 279/304-A IPC and vide order on sentence dated 10.07.2019 imposed Simple Imprisonment for a period of 2 years and also directed to pay a compensation to the tune of Rs. 1 lakh to the LRs of the victim. The appeal against the said order was dismissed by the learned ASJ- 04, West, Tis Hazari Courts, Delhi on 13.04.2023. Hence, the revision petition.

2. The learned counsel for the petitioner states that there was no rash or negligent driving on the part of the petitioner. He states that the learned Trial Court failed to appreciate that there were a lot of improvements and contradictions in the statements of PW-1 and PW-3.

3. For the said reasons, "Admit".

4. To be listed in due course.

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5. This is an application seeking suspension of sentence during pendency of the appeal.

6. It is stated by learned counsel for the petitioner that the petitioner was on bail during the entire trial and also during the pendency of the appeal and he has never misused the liberty granted to him. He further states that the petitioner has been taken into custody on 13.04.2023 and he is in jail since the said period.

7. Issue notice.

8. Mr Utkarsh, learned APP accepts notice on behalf of the State.

9. The appeal has been admitted today only and it is unlikely that the appeal would be heard in the near future. In case the sentence of the petitioner is not suspended, there would very well be a situation when the petitioner would have undergone the entire sentence awarded to him without even his appeal being heard. It is therefore directed that the sentence awarded to the petitioner be suspended subject to the following terms and conditions:-

i. The petitioner shall pay compensation to the tune of Rs. 1 lakh as per the order dated 10.07.2019 passed by learned Trial Court and the proof of cost shall be placed before the concerned Trial Court before furnishing his bail bonds;

ii. The petitioner shall furnish a personal bond with one local surety in the sum of Rs. 20,000/- each, to the satisfaction of the concerned Trial Court and the same shall be accepted only subject to furnishing proof of payment of compensation by the petitioner; iii. The petitioner shall provide his mobile number to the Investigating Officer (IO) concerned which shall be kept in working condition at all times. The appellant shall not switch off, or change the same without prior intimation to the IO concerned, during the period of suspension of sentence;

iv. The petitioner will furnish his permanent address to the IO and in case he changes his address, he will inform the IO concerned and this Court also;

v. The petitioner shall appear before the Court as and when the appeal is taken up for hearing;

vi. The petitioner shall not leave the country and if the petitioner has a passport, he shall surrender the same to the concerned trial Court; vii. The petitioner shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any. The application stands disposed of in the aforesaid terms.

JASMEET SINGH, J MAY 8, 2023 sr [Click here to check corrigendum](#), if any