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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.A. 1377/2014

SATISH KUMAR @ PAWAN

..... Appellant

Through Mr. Jitender Sethi and Mr. Akash
Sharma, Advs.

versus

STATE NCT DELHI

..... Respondent

Through Ms. Kusum Dhalla, APP for the State
along with SI Rakesh.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **15.12.2015**

Crl. M. (B) No.7941/2015

The appellant is seeking suspension of sentence and regular bail. He is on interim bail till today. He was enjoying the interim bail on the ground of illness of his wife; the wife was suffering from cancer in the intestine with a distended loop which required surgery for which purpose the appellant had been granted interim suspension of sentence.

A status report has been filed today. It has been verified from R.N. Khetarpal Memorial Nursing Home, Vishnu Garden that the wife of the appellant Satish Kumar is under treatment and her medical papers substantiating this submission have been attached after due verification from the concerned nursing home.

Learned counsel for the appellant additionally points out that the appellant is a convict under Section 307 of the IPC. He has also been



convicted under Section 353 as also Section 174-A of the IPC and Section 27 of the Arms Act. Maximum sentence awarded to him is RI 7 years for his conviction under Section 307 of the IPC. The sentences qua the other convictions were to run concurrently with the said sentence. His nominal roll which has been requisitioned reflects that as on date, he has undergone incarceration of almost 5 years and 5 months. Learned counsel for the appellant submits that keeping in view the fact that the wife of the appellant is suffering from a serious ailment as also the fact that the substantive part of the sentence has now been undergone by him and the appeal is not likely to be heard in the near future, he be granted suspension of sentence. This submission finds force.

Keeping in view the aforementioned factual matrix, the substantive sentence of the appellant is suspended. He be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- with one surety of like amount subject to the satisfaction of the Jail Superintendant with condition that he shall appear before the Appellate Court as and when the appeal is taken up for hearing. He shall also intimate in the local police about the change, if any, of his address.

Application disposed of.

Order dasti under the signatures of the Court Master.

INDERMEET KAUR, J

DECEMBER 15, 2015

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