

(2011) 02 DEL CK 0407

In the Delhi High Court

Case No : Criminal M.B. No. 253 of 2001 in Criminal A. No. 208 of 2011

Raju @ Rajpal and Others

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 21-02-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 428
Penal Code, 1860 (IPC) — Section 308, 34, 452

Citation : (2011) 3 JCC 1799

Hon'ble Judges : Hima Kohli, J

Bench : Single Bench

Advocate : R.S. Juneja, with Mr. A.S. Juneja, for the Appellant; Navin Sharma, APP, For the State, for the Respondent

Final Decision : Disposed Off

Judgement

Hon"ble Ms. Justice Hima Kohli

CrI.M.A. 1993/2011 (for exemption)

Allowed, subject to just exceptions.

CRL.A. 208/2011

Notice.

Learned APP for the State accepts notice.

Admit.

List in the category of "Regular Matters" as per its year of filing.

In the meantime, trial court record be summoned and tagged with this file.

CrI.M.B. 253/2011 (for suspension of sentence)

1. The accompanying appeal is preferred by the appellants against the judgment

of conviction dated 15.01.2011 whereunder, they were convicted under Sections 452/308/34 IPC. Under the impugned order on sentence dated 20.01.2011, the appellants were sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.5,000/- each, in default whereof, to undergo simple imprisonment for a period of three months for the offence punishable under Sections 452/34 IPC. For the offence punishable under Sections 308/34 IPC, the appellants were sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 15,000/- each, in default whereof, to undergo simple imprisonment for a period of three months. The appellants were also granted benefit u/s 428 of the Cr.PC.

2. Counsel for the appellants states that the appellants have remained on bail through the period of trial and that at present also, the impugned order on sentence has been suspended by the trial court till 23.02.2011 to enable the appellants to prefer the present appeal.

3. Having regard to the facts and circumstances of the present case, the sentence imposed against the appellants is suspended during the pendency of the appeal, subject to the appellants furnishing a personal bond in the sum of Rs. 20,000/- each with one surety of the like amount each to the satisfaction of the trial court. The application is disposed of.