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

+ CRL.A. 43/2024

RAVI KAPOOR

..... Appellant

Through: Ms. Dimple Vivek, Advocate

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Manjeet Arya, APP for State
with Insp. Vipin Kumar, PS Vasant
Kunj (North)

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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12.02.2024

CRL.M.(BAIL) 105/2024

1. The present appeal has been preferred by the appellant seeking quashing/setting aside of the impugned judgment dated 18.10.2023 and order on sentence dated 25.11.2023 passed by learned trial Court in case SC No.6933/2016 in FIR No.481/2008, for the offence punishable under Section 302/411/34 IPC & Section 3(1)(i)/3(2)/3(5) of the Maharashtra Control of Organized Crime Act, 1999 as extended to the territories of Delhi whereby appellant was held guilty and has been sentenced to undergo sentence, *inter alia*, imprisonment for life.

2. Vide this application, the appellant is seeking suspension of sentence during the pendency of the appeal.

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3. The learned APP for State has opposed the present application by submitting that there are serious allegations against the appellant. Thus, the present application deserves to be dismissed.

4. As per nominal roll dated 07.02.2024, the appellant has undergone sentence for 14 years 10 months and 8 days and earned remission of 12 days. Thus, as on date, he has undergone around 15 years in incarceration.

5. Keeping in view the aforesaid facts and the fact that the present appeal is of 2024 and there are old appeals pending before us and the hearing of present appeal shall take substantial time, we hereby suspend the sentence of the appellant during the pendency of the appeal. Consequently, the appellant be released on bail, if not required in any other case, on his furnishing a bail bond of Rs.10,000/- with one surety of like amount to the satisfaction of the learned trial Court concerned.

6. Copy of order be transmitted to the learned trial Court and to the concerned jail authorities for compliance.

7. Application stands disposed of.

SURESH KUMAR KAIT, J

GIRISH KATHPALIA, J

FEBRUARY 12, 2024/rk