

IN THE COURT OF MS. CHARU AGGARWAL  
ADDITIONAL SESSION JUDGE-02: CENTRAL DISTRICT  
TIS HAZARI COURT: DELHI.

0A)

CA No. 36/19  
Registration No. 228/19

Smt. Shaira  
W/o Late Mohd. Safeek  
R/o 6947/C, 1st Floor, Ahata Kidara,  
Sadar Bazar, Delhi-110 006.

..... Appellant

Vs.

State of Delhi (NCT of Delhi)

..... Respondent

Date of institution : 30.04.2019  
Date of decision : 20.07.2020

B)

CA No. 16/19  
Registration No. 215/19

Sh. S. M. Anis  
S/o Late Sh. Sheikh Mohd. Sualihin,  
R/o H. No. 451, 3rd Floor Zakir Nagar West,  
New Friends Colony, New Delhi- 110 025.

.....Appellant

Vs.

(i) State (Govt. of NCT of Delhi)

(ii) Smt. Shaira  
W/o Late Mohd. Shafiq  
R/o H. No. 6947, 1st Floor,  
Gali Lambi Wali, Ahatta Kidara,  
Delhi-110 006.

.....Respondents

Date of institution : 24.04.2019  
Date of decision : 20.07.2020

&

CA No. 34/19  
Registration No. 280/19

State (Govt. of NCT of Delhi)

..... Appellant

Vs.

Smt. Shaira  
W/o Late Mohd. Safeek  
R/o 6947/C, 1st Floor, Ahata Kidara,  
Sadar Bazar, Delhi-110 006.

..... Respondent

Date of institution : 06.06.2019  
Date of decision : 20.07.2020

### JUDGMENT

1. This common order shall decide abovementioned 3 criminal appeals, first filed by the convict, second by the complainant and third by the State, challenging the same judgment of conviction dated 30.03.2019 and order of sentence dated 09.04.2019, passed by Ld. MM-06, Central, Tis Hazari Court, Delhi.
2. Vide impugned judgment dated 30.03.2019, Ld. MM has convicted appellant Shaira (convict) for committing offence u/s 454/34 IPC and acquitted her for the offence u/s 380 IPC. Vide order of sentence dated 09.04.2019, convict Shaira was directed to undergo rigorous imprisonment for 2 months and fine of Rs. 10,000/- to be paid to the complainant as compensation in default of the same to undergo simple imprisonment for 15 days.

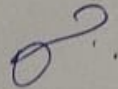
*Shaira Vs. State*

Page -2 of 17--

3. The complainant S. M. Anees and State, both are aggrieved by the impugned judgment dated 30.03.2019 on the same ground that convict Shaira has been wrongly acquitted by the Ld. Trial Court for the offence u/s 380 IPC. They are further aggrieved by the order of sentence contending that the sentence awarded by Ld. MM to convict Shaira for the offence u/s 454/34 IPC is inadequate.

The convict Shaira has filed the appeal being aggrieved by her conviction and order of sentence<sup>P</sup> passed by the Ld. Trial Court.

4. The facts leading to registration of the FIR of the present case are that complainant S. M. Anees alongwith his siblings was the owner of the property bearing H. No. 6947, Ahata Kedara, Bara Hindu Rao, Delhi, consisting of 4 floors. One room on the first floor of the said property was let out by the complainant and his siblings to the convict's husband Mohd. Shafiq (*since deceased*) vide rent note dated 24.01.2008. Vide legal notice dated 21.09.2011, the tenancy of husband of the convict was terminated by the complainant. Thereafter, the complainant filed the civil suit for possession against the husband of the convict. However, the said civil suit of the complainant was dismissed by the concerned Civil Court vide judgment and decree dated 24.01.2014. Aggrieved by the dismissal of the civil suit, the complainant preferred the appeal bearing RCA no. 03/14, wherein the matter was settled between the complainant and husband of the convict and in settlement, it was agreed that husband of the convict would vacate the tenanted room within 6 months i.e. by 17.05.2015. Husband of the convict did not abide the terms of the compromise as he did not vacate the room within the agreed period, therefore, the complainant filed the execution petition before the concerned Civil Court. Warrant of possession were issued in the execution petition for 29.05.2015 but the convict did not allow the



concerned Bailiff to enter the suit property on the said date, therefore, the warrant of possession remained unexecuted. Instead, on 09.06.2015, the convict committed house trespass by entering into **another two rooms** situated on the first floor of the property bearing no. 6947, in possession of the complainant and also committed theft by removing movable properties of the complainant lying in the said two rooms. As per record, the complainant got the possession of the tenanted room on 25.07.2015, in execution of warrant of possession issued by concerned Civil Court.

5. In brief the case of the prosecution is that on 09.06.2015 at about 08:00 PM, the convict broke open the locks of two rooms of the first floor in the aforementioned property in possession of complainant and trespassed into the said rooms and also removed the movable articles of the complainant lying in the said two rooms. On the same day i.e. 09.06.2015, at about 09:30 PM, complainant's friend Sh. Mansoor Ahmed, stated to be present at the spot, informed him that convict and her husband had trespassed into the two rooms of the complainant and also about theft committed by them from the said rooms. On the next day, at about 09:00 PM, the complainant reached at the spot and found that convict and her family have already trespassed in the rooms earlier in his possession. Despite repeated request of the complainant those rooms were not vacated by the convict and her family, rather they started abusing him. Thereafter, the complainant lodged his complaint dated 10.06.2015 (Ex. PW-2/A) at PS Sadar Bazar. As per prosecution, initially only the DD Entry was lodged on the complaint Ex. PW-2/A which subsequently on 15.06.2015 was converted into the FIR. On 16.12.2015, the complainant handed over the list of stolen articles and keys of the rooms to the IO.

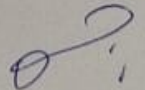
6. After completion of investigation, the prosecution filed the

charge sheet before the court of concerned Ld. Metropolitan Magistrate, who summoned the convict for the offence u/s 454/380/34 IPC. Vide order dated 22.01.2019, charge under the said provisions was framed upon the convict to which she pleaded not guilty and claimed trial.

7. The prosecution in order to prove its case examined 5 witnesses before the concerned MM.

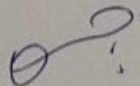
8. PW-1 is Sh. Mansoor Ahmed, friend of the complainant, who as per prosecution is the eye witness to the incident as he is stated to have seen convict and her family while breaking open the locks of the two rooms of the complainant, committing of trespassing by them and removing of movable goods. As per the testimony of PW-1, he is resident of H. No. 6816, Lambi Gali, Ahata Kidara, Sadar Bazar, Delhi. He has stated that he knows complainant who is owner of property bearing no. 6947, Ahata Kidara, Sadar Bazar, Delhi. On the day of incident i.e. 09.06.2015, he had gone to meet his relatives, residing near the property in dispute, between 09:30 to 10:00 PM. At that time, he heard some noise and saw that the doors of the rooms which were under the lock and possession of the complainant were opened and convict alongwith her husband was taking out the articles kept in those rooms i.e. old VCR, TV, Table, some books and utensils. This PW tried to go inside those rooms, however, he was restrained by the daughters of the convict. The incident was informed by this PW to the nearby persons who were standing there but they all said that they do not have the phone number of the complainant, thereafter, this PW himself made telephonic call to the complainant and informed him about the incident occurred at his rooms.

During cross examination of this PW, he has stated that his house is 50 ft. away from the property in question. He knows brother of the com



plainant since childhood as their family used to reside in the same vicinity where this PW resides. He has also stated that he met the complainant after 4 days of the incident. He has also stated that he met the IO of this case at the spot who told him to come to the police station (PS) where the statement of this PW was recorded by the IO.

9. PW-2 is the complainant himself, who is resident of New Defence Colony, Delhi. He is a practicing Advocate. He has stated in his testimony that on 09.06.2015, in between 09:30 to 10:00 PM, he received a telephonic call from PW-1 Mansoor Ahmed, who informed him that convict and her husband alongwith some unknown persons has broken the locks of two rooms of this PW situated in property no. 6945, First Floor, Sadar Bazar, Delhi. Sh. Mansoor Ahmed also informed him that convict and his family have entered into the said room and committed theft of articles worth Rs. 50,000/- lying in the said rooms. He has further stated that on 10.06.2015, at about 09:00 AM, he visited the aforesaid property and found that convict had already trespassed in the said rooms. He requested them to vacate those rooms but they started abusing him. Thereafter, this PW visited PS Sadar Bazar and gave his hand written complaint (Ex. PW-2/A) to the police. On 16.12.2015, he gave the list of stolen articles (Ex. PW-2/B) and keys of the said two rooms to the IO. He also gave site plan (Ex. PW-2/D) to the IO in which the rooms were marked as "X-1" to "X-3". The room "X-1" was the room in which the convict was the tenant and the other two rooms "X-2" & "X-3" were the rooms in which the convict has trespassed. This PW also handed over rent agreement (Mark PW-2/A) to the IO and copy of notice dated 21.09.2011 whereby the tenancy of the husband of convict was terminated. This PW also handed over warrant of possession (Ex. PW-2/E) to the IO. He has stated that on 29.05.2015, he alongwith Bailiff went to the demise prop-



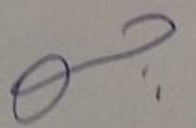
erty and found his two rooms "X-2" & "X-3" locked. On checking the articles lying in the said rooms, the same were also found intact. This PW has relied upon the judgment (Ex. PW-2/F) passed in RCA No. 03/14 by Ld. ADJ wherein the husband of the convict gave undertaking to vacate the tenanted premises. He has stated that he has not supplied the ownership proof of the stolen articles to the IO as those articles were too old and he did not have any document of the same.

During cross examination, he has stated that he came to know about the incident from his friend Sh. Mansoor Ahmed who resides in the same vicinity at a distance of 50 yards from the property in dispute. He has stated that he gave the list of stolen articles to the IO in his chamber on 16.12.2015. He has admitted that there is discrepancies in the articles mentioned in his initial complaint dated 10.06.2015 and list of articles supplied by him to the IO on 16.12.2015. He has explained the said discrepancies by saying that he was under shock due to the activities of the convict and also for the reason that the articles were old and lying there since ages, therefore, he had to seek clarification from his wife regarding those articles.

10. PW-3 is Duty Officer, who has stated that on 15.06.2015, at about 09:00 PM, SI Sanjay handed over him one Tehrir on the basis of which he registered the FIR (Ex. PW-3/A) of this case.

This PW was not cross examined by Ld. Defence Counsel despite giving opportunity.

11. PW-4 is SI Nassu Ahmed, Second IO of the case, who has stated that on 03.08.2016, further investigation of the case was handed over to him. He interrogated the convict. On 11.08.2016, he recorded the statement of complainant and PW Mansoor Ahmed.



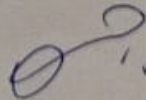
During cross examination, he has stated that he visited the spot twice and thrice during investigation but he never met either complainant or PW-1 Mansoor Ahmed at the spot.

12. **PW-5** is Inspector Sanjay, first IO of the case, who has stated that on 15.06.2015, he received a complaint of the complainant from the Reader of SHO, thereafter, he alongwith complainant went at the spot where complainant pointed out towards the room given by him to the husband of convict on rent and other two rooms being trespassed by the convict. This PW asked the complainant as to who had informed him about the illegal possession on the aforesaid rooms to which complainant disclosed the name of Mansoor Ahmed. Thereafter, **this PW tried to search Mansoor Ahmed but he was found to be ill and due to this reason, he could not be examined by him.** Thereafter, the investigation of this case was handed over to PW-4.

During cross examination of this PW, he has stat that the list of articles was handed over by the complainant to him in his Chamber. He has further stated that broken locks were not recovered. He has also stated that PW-1 Mansoor Ahmed is residing 50-60 yards away from the spot but he never met him during investigation.

13. After completion of prosecution evidence, the statement u/s 313 Cr.PC of the convict was recorded by Ld. MM in which she pleaded her innocence and stated that she has been falsely implicated by the complainant. She has stated that she is in possession of three rooms of the property since the year 2008.

14. The convict has also led her evidence in defence by examining herself as DW-1, DW-2 Sh. Mukesh Kumar, JJA Record Room, Civil, Tis Hazari Court, Delhi and DW-3 Mohd. Farhan.





15. Convict (DW-1) has stated in her deposition that her husband has got three rooms in property bearing no. 6947/C, first floor, Ahata Kidara, Sadar Bazar, Delhi, in the year 2008 on rent from the brother Mohd. Naseem of the complainant and paid Rs. 4 lacs as pagri. She, in order to prove her possession in those rooms, has relied upon the documents Ex. DW-1/A (colly). She has stated that in the year 2010-11, the electricity supply in the rooms was disconnected due to non-payment of electricity bill by the landlord. She has reiterated her stand that she has neither trespassed into any portion of the property nor she has committed offence of theft.

During cross examination, she has stated that she does not have any rent agreement to show that either she or her husband were tenants in three rooms of the property. She has also stated that she does not have any documentary proof to show that the payment of Rs. 4 lacs as pagri was given by her husband to anyone in connection with this property.

16. DW-2 is JJA, Record Room, Civil, from where the convict has summoned the file of suit no. 80/13, titled as "S. M. Anees & Ors. Vs. Mohd. Shafiq". The convict has relied upon the judgment (Ex. DW-2/C) passed by Ld. Civil Judge in the said suit whereby it was dismissed.

During cross examination of this witness, Ld. APP got to place on record the written statement filed by husband of the convict in the said civil suit and also the judgment dated 24.01.2014, passed by Ld. Appellate Court while setting aside the judgment of the Civil Court who dismissed the suit of the complainant.

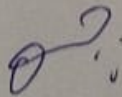
17. DW-3 is Mohd. Farhan, known to the convict for last 10 years, who also resides near her house. He has stated that he used to visit the house of convict occasionally. He has further stated that the convict is living with her family

in three rooms on the first floor of the property in dispute. On 09.06.2015, he had gone to meet the convict and her family at her house and remained there from 07:30 PM to 11:30 PM. He was watching TV with the convict and her family but did not see anything on the said day that convict was breaking anything or any sound was coming. He also did not notice any person by the name of Mansoor Ahmed at the spot.

During cross examination, he has stated that he does not know either the complainant or PW-1 Mansoor Ahmed, therefore, he cannot identify them. He has denied all the suggestions given to him by Ld. APP regarding his presence at the house of convict on the day of incident.

18. After considering the evidence adduced by the prosecution and accused, the appellant Shaira (convict) was convicted by the Ld. MM for the offence u/s 454 IPC & sentenced her, as mentioned above.

19. The State and complainant have challenged the impugned judgment and order of sentence on the ground that the Ld. Trial Court has not properly appreciated the evidence and wrongly acquitted the convict Shaira for the offence u/s 380 IPC. Ld. APP and counsel for complainant have argued on the same lines that Ld. Trial Court has completely ignored the evidence of PW-1 Shaira Mansoor Ahmed who in his testimony has specifically stated that he saw convict Shaira while removing the movable articles belonging to the complainant from the two rooms in possession of the complainant. They also submitted that the findings of the Ld. Trial Court that complainant did not provide list of stolen articles to the IO is also contrary to the record since the details of stolen articles were given by the complainant to the IO firstly in his complaint dated 10.06.2015 and thereafter the detailed list of articles were provided by the complainant to the IO on 16.12.2015. They further submitted that in view of the testimony of PW-1 re-



regarding the removal of movable articles of the complainant from his two rooms, the acquittal of the convict for the offence u/s 380 IPC by the Ld. Trial Court is liable to be set aside and convict should be convicted also for the offence u/s 380 IPC.

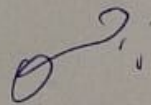
20. Per contra, counsel for convict has argued that the Ld. Trial Court has not appreciated the evidence on record in its true sense since the prosecution has failed to prove its case beyond reasonable doubt. He has argued that convict has been wrongly convicted by the Ld. Trial Court on the erroneous assumption drawn from the pleadings of the civil suit filed by the complainant against the husband of the convict. Ld. Counsel has drawn attention of the court on the evidence recorded in the trial court that neither PW-1 nor PW-2 is a reliable witness. He submits that the evidence of both these prosecution witnesses clearly indicates that no such incident has ever taken place. He further submitted that the written complaint on the basis of which the FIR is registered is motivated and was made by the complainant as a pressure tactic on the convict and her husband to vacate the property in their possession.

21. I have considered the rival contentions of Ld. APP and counsels for complainant & convict respectively.

22. The most material witness of the prosecution is PW-1 Mansoor Ahmed, who is the eye witness to the alleged incident. As per the case of the prosecution, he is the only witness who saw convict and her husband while breaking open the locks of two rooms in possession of the complainant, thereafter, trespassing into those rooms and also while removing movable articles like VCR, TV, Table, Books and utensils from the said rooms. As per the prosecution, he is the first person, who telephonically informed the complainant about the incident. The presence of PW-1 Mansoor Ahmed at the spot at the time of inci-

dent is highly doubtful from the own evidence and admissions made by the prosecution witnesses. For this, I will go to the complaint dated 10.06.2015, purported to be lodged by the complainant at PS Sadar Bazar. In the said complaint, complainant did not disclose either the name or any other particulars of his friend, who allegedly telephoned him about the incident. After 10.06.2015, the statement u/s 161 Cr.PC of the complainant was recorded on 16.12.2015, in which also he did not disclose the name of his any such friend who informed him about the incident but said that the name of his friend would be given by him later on. Thereafter, the statement u/s 161 Cr.PC of the complainant was recorded on 11.08.2016 by the second IO SI Nashu Ahmed (PW-4) in which the complainant said that he has already given the details of his friend to the police. If, the information of the incident was actually given by PW-1 Mansoor Ahmed to PW-2 complainant then this court find no reason that why the complainant took almost 14 months from the date of incident to provide the particulars of his friend (PW-1) to the police and this unusual delay clearly imply manipulation on the part of the complainant to procure witness for his case.

23. Not only the delay in providing the name of PW-1 by the complainant make the presence of PW-1 doubtful at the spot but his presence is doubtful also for many other reasons. PW-1 in his statement recorded on 11.08.2016, said that complainant is his friend and they are on visiting terms with each other since childhood. He has stated that on the day of incident i.e. on 09.06.2015, he had gone to meet his relative Sharif, Sayeed and Salim at H. No. 6947, Bara Hindu Rao. At that time, he saw that complainant's tenant Shafiq alongwith his wife (convict Shaira) was removing some articles from the two rooms in possession of the complainant and the said information was passed by him to the complainant. PW-1 during his cross examination has stated that his



house is situated 50 ft. away from the property in question. Complainant (PW-2) has also stated in his cross examination that PW-1 resides in the same vicinity where the property in question is situated. He has also deposed that PW-1 is his friend. At this juncture, the testimony of PW-5 SI Sanjay Kumar, the first IO of the case, is very relevant to be looked into since PW-5 has stated in his chief examination that complainant disclosed the name of PW-1 Mansoor Ahmed in his complaint, thereafter, he (first IO) started searching PW-1 and found him to be ill and for this reason he could not examine him. As per own admission of PW-1 & PW-2, they are friends knowing each other since childhood, had visiting terms with each other, PW-1 is residing in the same vicinity where the property in question is situated then this court find no reason that how and where was the occasion for the IO to search PW-1, when he was very much available in his house admittedly situated near the property in dispute and was well acquainted with the complainant being his friend since childhood. Moreover, the testimony of PW-5 that he tried to search the complainant's friend (PW-1) is also belied by the fact that admittedly his particulars (particulars of PW-1) were not on record till the investigation came to be transferred from PW-5 (first IO) to PW-4 (second IO). As already discussed that the name of PW-1 was not on record till 11.08.2016 and the first IO got transferred on 03.08.2016, then how in the absence of name or any other particular of PW-1 on record till 11.08.2016, the first IO searched him. Furthermore, as stated by PW-1 in his statement recorded u/s 161 Cr.PC and during his testimony recorded in the court that on 09.06.2015, he had gone to meet his relatives near the spot but the prosecution has not examined any such relatives of PW-1 to support its stand that PW-1 had gone to meet his any relative on the date of incident. Most interestingly, PW-1 in his statement u/s 161 Cr.PC recorded by the second IO on 11.08.2016, has nowhere



and that either convict or his any family member was breaking open the locks of the room of the complainant, what is mentioned in his said statement is that on 09.06.2015, he on seeing the convict and her husband taking out the articles from the room of the complainant in the demise property and suspected some foul play about which information was given by him to the complainant.

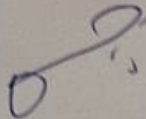
24. The other doubt in the mind of the court in the case of the prosecution is that in the complaint dated 10.06.2015, on the basis of which the FIR of this case was registered, the name of husband of the convict against whom also the action was sought is mentioned. As per the complainant, husband of the convict was his tenant since the year 2008 and on the date of alleged offence he was alive, who later on died in December-2015, despite that the FIR registered on 15.06.2015, was only against the convict Shaira but not against her husband who was the tenant in the property and specifically named in the complaint dated 10.06.2015. The complainant, a practicing Advocate, is expected to know the legal position but for the reasons best known to him, he did not raise his grievance at any point of time for not registering the case against his actual tenant by which he gave complete escape route to his tenant and roped only wife of his tenant i.e. convict Shaira.

25. As per the story of the prosecution, the incident of trespassing and theft is of 09.06.2015. However, the FIR of this case was registered on 15.06.2015. The prosecution has not given any satisfactory explanation on record to explain the delay in lodging the FIR. Though, the complainant has stated in his testimony that on the next date i.e. on 10.06.2015, he lodged his complaint against the convict at PS Sadar Bazar. One such complaint dated 10.06.2015 (Ex. PW-2/A) is on record bearing one endorsement which apparently show that one DD was recorded on the said complaint at PS Sadar Bazar



on 10.06.2015 itself. However, no such DD has been proved on record by the prosecution that any such complaint was received in the Police Station on 10.06.2015. On perusal of the said DD show that neither the DD Number nor the time mentioned in the said DD is clear as there are various cuttings on the DD Number and the timings of the said DD. Otherwise also, none of the prosecution witness has deposed that any complaint dated 10.06.2015, was lodged by the complainant regarding the alleged offence(s). The entire case of the prosecution seems to be the afterthought of the complainant, who is a professional practicing Advocate. Had, the complainant lodged the complaint immediately after the incident there would have been more probability of recovery of his allegedly stolen articles and broken locks from the spot but in the absence of lodging the complaint immediately after the incident has prejudiced the convict for which she deserves benefit of doubt. Even, the list of articles was provided by the complainant to the IO on 16.12.2015 i.e. almost after 6 months of the incident is also one of the important dent in the case of the prosecution and that too by adding certain articles in the said list which were not so mentioned in the complaint dated 10.06.2015, allegedly given by him at the concerned PS.

26. In order to decide the charge of criminal trespass against the convict, the first and foremost question that require consideration of the court is whether the husband of the convict was inducted as a tenant by the complainant and his siblings in one room or in three rooms. The complainant and State have heavily relied upon the pleadings of earlier civil suit for possession filed by the complainant against the husband of the convict on the basis of rent note dated 24.01.2008. The said civil suit was dismissed by the Civil Court holding that the rent note allegedly executed by the husband of the complainant was not genuine and valid document. It is true that in appeal bearing RCA No. 03/14, the



judgment of the Civil Court was set aside but it was not on merit but in view of the settlement reached between the parties in the appeal. It may be noted that the convict and her family were in occupation of three rooms on the first floor at the time of execution of warrant of possession in respect of one room but surprisingly the complainant never pointed out this fact to the executing court and after filing of criminal complaint that led to the conviction of tenant's wife for the offence u/s 454 IPC remained contented with obtaining the possession of only one room instead of all the three rooms. It shall be significant to note that complainant soon after the death of husband of convict on 20.12.2015, filed a writ petition (Criminal) bearing no. 2175/15, seeking restoration of his property in possession of the convict (two rooms allegedly trespassed) but his said writ petition was dismissed by the Hon'ble Delhi High Court vide its order dated 17.12.2018, noting therein that the plea of the convict whether she is in possession of one room or three rooms is a disputed question which would be looked into by the Ld. Trial Court. It is trite law that the criminal proceedings cannot decide the disputed question of facts relating to civil rights of a party in the property.

27. Ld. Trial Court convicted the convict in its impugned judgment primarily based its finding in regard to the tenanted accommodation referred to the pleading of earlier civil suit for possession filed by the complainant against the husband of the convict. The said finding, in the opinion of this court, cannot be sustained in law because any omission or admission by the husband of the convict cannot be read against her (convict) in these criminal proceedings in which prosecution is required to prove its case beyond reasonable doubt. Except earlier pleadings of civil suit, there is no other reliable or cogent evidence on record to prove the charge of criminal trespass the against the convict.

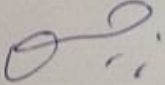




28. For the foregoing reasons, the criminal appeal no. 36/19, filed by convict Shaira is allowed and she is acquitted for all the charges charged against her u/s 454/380/34 IPC whereas the other two appeals, one filed by the complainant and other by the State are hereby dismissed. The bail bond and surety bond furnished by convict stands cancelled. Surety stands discharged. Endorsement, if any, on any document be cancelled. Original, if any, be returned to the rightful claimant.

A copy of this judgment be kept in the files of all the three appeals disposed off by this common judgment, thereafter, the appeal files be consigned to record room and Trial Court Record be sent back to the concerned court. This judgment be immediately uploaded on the official website of District Court and copy be also sent to the Prosecution Branch.

Announced <sup>through V.C. [Cisco Webex]</sup> ~~in the open court~~  
on 20.07.2020

  
(Charu Aggarwal)  
ASJ-02/Central District  
Tis Hazari Court/Delhi