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

+ **CRL. A. 271/2017**

MOHD MUSA Appellant
Through Mr Roshan Lal Saini, Advocate.

versus

STATE Respondent
Through Ms Kusum Dhalla, APP for state.

AND

9.

+ **CRL. A. 973/2017**

MOHD MUSA Appellant
Through Mr Roshan Lal Saini, Advocate.

versus

STATE & ANR. Respondents
Through Ms Meenakshi Chauhan, APP for state.

AND

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.05.2020

CRL. M.B. No. 6104/2020

CRL. M.B. No. 6093/2020

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

CRL. M. (BAIL) 5890/2020 & CRL. A. 271/2017
CRL. M. (BAIL) 5885/2020 & CRL. A. 973/2017

3. The petitioners have filed the present applications seeking suspension of sentence on interim basis till hearing of the appeals. It is seen that similar applications, filed earlier, were rejected, *inter alia*, on ground the appellant is also involved in several other cases. In view of the above, this Court finds no reason to allow these applications.

4. The learned counsel appearing for the appellant has submitted that the appellant has been in custody for over three years and three months and therefore his sentence may be suspended. He also submitted that these applications may be favourably considered on account of the prevalent pandemic. This Court is unable to accede to the appellant's request as his residence falls within a notified containment zone, where the residents are at high risk, therefore, it would not be apposite to release the appellant on interim basis on the ground of the contagion.

5. The applications are, accordingly, dismissed.

6. However, this Court considers it apposite to allow the hearing of the appeals at an earlier date.

7. List the appeals for final hearing on 06.08.2020.

VIBHU BAKHRU, J

MAY 05, 2020

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