

**IN THE COURT OF SH. DHARMENDER RANA, ASJ-02
NEW DELHI DISTRICT PATIALA HOUSE COURTS, DELHI**

**Sessions Case No. 14/2017
Case No. 429/2018
Unique Case ID No. DLND01-014623-2018**

State Vs. (1) Salim Sheikh,

[REDACTED]

(2) Neetu @ Radha,

[REDACTED]

FIR No. 55/2016
PS: Special Cell
U/s: 489B/120B IPC

ORDER ON SENTENCE

1. By judgment dated 10.06.2022, convict Salim Sheikh and Neetu @ Radha have been convicted for the offences punishable under Section 489B/120B of Indian Penal Code.
2. Submissions on the point of sentence have been addressed.
3. Sh. Irfan Ahmed, Ld. Addl. PP for the State submitted that both the convicts are involved in a serious offence punishable u/s 489B/120B IPC. It is

submitted that the conduct of both the convicts is a serious threat to the entire nation. He prays that the maximum possible sentence be imposed upon both the convicts.

4. Sh. M.K. Pervez and Sh. Sanjeev Bhardwaj, Ld. Counsel for both the convicts Salim Sheikh and Neetu @ Radha submitted that both the convicts have onerous responsibilities of their respective families. Convict Salim Sheikh has responsibility of three minor children, old blind mother and an aged father, who is suffering from old age ailments. It is submitted that convict Salim Sheikh remained in judicial custody for a period of 23 months. It is submitted that convict Neetu has also two sons and one minor daughter. It is submitted that both the convicts have no previous criminal antecedents and it is thus prayed that both the convicts be let off on probation. It is additionally argued that convict Neetu @ Radha being a woman deserves a lenient view.

5. I have heard the counsel for the convicts and the Ld. Addl. PP for the State.

6. The menace of Fake Currency Notes is a threat to the economic stability of the country. Considering the nature of offence, I do not find it to be a fit case to grant probation to the convicts. The plea of defence is accordingly rejected.

7. Sentencing of the convicts is a very sensitive exercise of discretion in any criminal trial. Any undue sympathy to the convicts is antithetic to the societal expectations of awarding befitting punishment to the wrong doers.

Further, I do not find any plausible reasons to treat the case of

convict Neetu @ Radha on a separate pedestal merely on account of her gender. Convict Neetu despite being a woman has voluntarily chosen to associate herself with nefarious criminal activities and now she cannot claim any preferential treatment on account of her gender. The partners in sin, who lay equal stakes in profit, cannot now disassociate themselves while reaping the harvest of their sins.

7. Considering the fact that both the convicts are first time offenders with no past criminal antecedents with onerous family responsibilities, both the convicts, namely, Salim Sheikh and Neetu @ Radha are sentenced here as under:

S. No.	Particulars	Sentence and Fine Against both the convicts	Fine Paid/Unpaid
1.	State v. Salim Sheikh & Anr FIR No. 55/2016, PS Special Cell, U/s 489B/120B IPC	<p>For offence u/s 489B IPC, Rigorous Imprisonment for period of five years each and fine of Rs. 25,000/- each. In default of payment of fine, SI for a period of three months each.</p> <p>For offence u/s 120B IPC, Rigorous Imprisonment for a period of one year each and fine of Rs.10,000/- each. In default of payment of fine, SI for a period of one month each.</p>	Fine not paid by both the convicts.

8. Fine not deposited. Both the sentences awarded to the convicts shall run concurrently. Benefit of Section 428 Cr.P.C. be given to the convicts.
9. Copy of this order is supplied to the convicts free of cost.
10. File be consigned to Record Room after due compliance.

**Announced in the open court
on 05.07.2022.**

**(Dharmender Rana)
ASJ-02/NDD/PHC/ND**

Sessions Case No. 14/2017
Case No. 429/2018
Unique Case ID No. DLND01-014623-2018
State v. Salim Sheikh & Anr

05.07.2022

Present: Sh. Irfan Ahmed, Ld. Addl. PP for State.
Both the convicts in person.
Sh. M. K. Pervez, Ld. Counsel for convict Salim Sheikh
Sh. Sanjeev Bhardwaj, Ld. Counsel for convict Neetu.

Affidavits filed by Ld. Addl. PP for the State and also by both the convicts, in compliance of order dated 10.06.2022. Let the same be taken on record.

It is rightly pointed out by Ld. Addl. PP that since the case pertains to the conviction u/s 489B and 120B IPC, therefore, there is no requirement of a separate Victim Impact Report as the State as a whole is the victim in the instant matter.

In view of the same, arguments on the point of sentence heard.

Put up for orders at 4.00 p.m.

(Dharmender Rana)
ASJ-02, NDD/PHC/New Delhi
05.07.2022

At 4.00 p.m

Present: Sh. Irfan Ahmed, Ld. Addl. PP for State.
Both the convicts in person.
Sh. M. K. Pervez, Ld. Counsel for convict Salim Sheikh
Sh. Sanjeev Bhardwaj, Ld. Counsel for convict Neetu.

Vide separate order, both the convicts, namely, Salim Sheikh and Neetu @ Radha are sentenced to undergo rigorous imprisonment for a

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term of five years each and fine of Rs.25,000/- each **for the offence punishable under Section 489B IPC**. In default of payment of fine, both the convicts shall undergo simple imprisonment for a period of three months each.

For the offence punishable u/s 120B IPC, both the convicts are sentenced to undergo rigorous imprisonment for a term of one year each and fine of Rs.10,000/- each. In default of payment of fine, both the convicts shall undergo simple imprisonment for a period of one month each.

Fine not deposited. Both the sentences awarded to the convicts shall run concurrently. Benefit of Section 428 Cr.P.C. be given to the convicts.

Copy of this order is supplied to the convicts free of cost.

At this stage, separate applications have been moved on behalf of both the convicts u/s 389 CrPC seeking suspension of sentence.

Heard.

Considering the nature of offence coupled with the fact that both the convicts have been sentenced RI for a period of five years, I do not find any plausible reason to allow the instant application seeking suspension of sentence. Both the applications are accordingly dismissed.

Both the convicts be taken into custody to serve the sentence.

File be consigned to Record Room after due compliance.

(Dharmender Rana)
ASJ-02, NDD/PHC/New Delhi
05.07.2022

**IN THE COURT OF SH. DHARMENDER RANA, ASJ-02
NEW DELHI DISTRICT PATIALA HOUSE COURTS, DELHI
CONVICTION WARRANT**

Sessions Case No. 14/2017
Case No. 429/2018
Unique Case ID No. DLND01-014623-2018
State v. Salim Sheikh & Anr

To,
The Superintendent of Jail
Tihar, New Delhi

Accused **Salim Sheikh,** [REDACTED]

[REDACTED] Aged 29 years was convicted by this Court in the above mentioned case vide judgment dated 10.06.2022 for the offence under section 489B/120B IPC.

Today, by order dated 05.07.2022, convict Salim Sheikh has been sentenced to undergo rigorous imprisonment for a term of five years and fine of Rs.25,000/- **for the offence punishable under Section 489B IPC**. In default of payment of fine, convict shall undergo simple imprisonment for a period of three months. **For the offence punishable u/s 120B IPC**, convict Salim Sheikh is sentenced to undergo rigorous imprisonment for a term of one year and fine of Rs.10,000/-. In default of payment of fine, convict Salim Sheikh shall undergo simple imprisonment for a period of one month each. The convict is now being sent by this court to serve the sentence. Both the sentences shall run concurrently.

Fine / compensation not deposited.

Benefit of 428 Cr.P.C., if any, be given to the convict.

Given under my hand and the seal of the Court on 05.07.2022.

(Dharmender Rana)
ASJ-02, New Delhi District
Patiala House Courts, New Delhi
05.07.2022

**IN THE COURT OF SH. DHARMENDER RANA, ASJ-02
NEW DELHI DISTRICT PATIALA HOUSE COURTS, DELHI
CONVICTION WARRANT**

**Sessions Case No. 14/2017
Case No. 429/2018
Unique Case ID No. DLND01-014623-2018
State v. Salim Sheikh & Anr**

To,
The Superintendent of Jail
Tihar, New Delhi

Accused Neetu @ Radha, [REDACTED]

[REDACTED], aged 40 years was convicted by this Court in the above mentioned case vide judgment dated 10.06.2022 for the offence under section 489B/120B IPC.

Today, by order dated 05.07.2022, convict Neetu @ Radha has been sentenced to undergo rigorous imprisonment for a term of five years and fine of Rs.25,000/- **for the offence punishable under Section 489B IPC**. In default of payment of fine, convict shall undergo simple imprisonment for a period of three months. **For the offence punishable u/s 120B IPC**, convict Neetu @ Radha is sentenced to undergo rigorous imprisonment for a term of one year and fine of Rs.10,000/-. In default of payment of fine, convict Neetu @ Radha shall undergo simple imprisonment for a period of one month each. The convict is now being sent by this court to serve the sentence. Both the sentences shall run concurrently.

Fine / compensation not deposited.

Benefit of 428 Cr.P.C., if any, be given to the convict.

Given under my hand and the seal of the Court on 05.07.2022.

(Dharmender Rana)
ASJ-02, New Delhi District
Patiala House Courts, New Delhi
05.07.2022