



2026:DHC:6574



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

% ***Order on sentence reserved on: 12.08.2026***

Order on sentence pronounced on: 12.08.2026

CNR No. DLHC012885792016

+ **CRL.A. 1065/2016**

STATE (NCT OF DELHI)

.....Appellant

Through: Mr. Utkarsh, APP for the State.

Versus

SAJID ALI

.....Respondent

Through: Mr. Kunal Yadav and Mr. Kanwar
Faisal, Advocates.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER ON SENTENCE

CHANDRASEKHARAN SUDHA, J.

1. It is submitted by the learned counsel for the respondent/convict that he is a first time offender. It was further submitted that the age of the convict may also to be taken into consideration, particularly as he has been facing trial for the last 13 years. The respondent/convict has to take care of his family, aged parents and a brother who is on his deathbed. It was further submitted that the incarceration of the convict would cause



immense hardship to the family members dependent upon him. Therefore, it was prayed that the convict be sentenced to fine alone and imposition of a substantial sentence of imprisonment be avoided.

2. *Per contra*, it was submitted by the learned Additional Public Prosecutor that the offence punishable under Section 354A(1)(i), IPC, for which the convict has been found guilty, is grave in nature. He submitted that the convict ought to be awarded the maximum sentence prescribed under law, having regard to the peculiar circumstances of the case, wherein the prosecutrix was sexually harassed by the convict solely due to the fact that she was wearing western attire. The prosecutrix, being only 17 years old when the incident occurred, had also undergone a prolonged trial in her pursuit for justice and so she would also have endured immense trauma in the process. These circumstances constitute aggravating factors and warrant the imposition of a stringent sentence.



3. This Court has considered the submissions made on behalf of both sides and has carefully examined the nature of the offence, the manner in which it was committed, and the overall facts and circumstances of the case.

4. The offence in the present case was committed on 17.07.2013. The punishment prescribed under Section 354A(1)(i) IPC as it stood then, is rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

5. The principle governing the imposition of punishment will depend upon the facts and circumstances of each case. However, the sentence has to be appropriate, adequate, just, proportionate and commensurate with the nature and gravity of the crime and the manner in which the crime is committed. The gravity of the crime, motive for the crime, nature of the crime and all other attending circumstances have to be borne in mind while imposing the sentence. The court cannot afford to be casual while imposing the sentence, inasmuch as both the crime and the



criminal are equally important in the sentencing process. The courts have to see that the public does not lose confidence in the judicial system. Imposing inadequate sentences would do more harm to the justice system and may lead to a state where the victim loses confidence in the judicial system and may result in people taking law into their own hands.

6. Therefore, keeping in view the facts and circumstances of the case, the respondent/convict is sentenced to undergo rigorous imprisonment for a period of one (01) year and to pay a fine of ₹15,000/- (Rupees fifteen thousand only). In default of payment of fine, the convict shall undergo Simple imprisonment for 3 months.

7. The period of imprisonment, if any, already undergone by the respondent/convict during investigation/trial shall be set off under Section 428 Cr.P.C.

**CHANDRASEKHARAN SUDHA
(JUDGE)**

AUGUST 12, 2026
p'ma