HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc. IInd Suspension Of Sentence Application No. 885/2025
CNR: RJHC020339022025 | URN: SOSA / 1698U / 2025

In

D.B. Criminal Appeal No.358/2023

Asif Kureshi Son Of Ajmeri Kureshi, Resident Of Village Pushpura Srimadhopur Ward No 24 Police Station Srimadhopur District Sikar Presently Plot No. 113, Rameshwardhan Colony, Boytawala, Benad Road, Harmada District Jaipur At Present In Central Jail Jaipur

----Petitioner

Versus

1. State Of Rajasthan, Through The Pp
2. Shakeel Ahmad Sn Of Lallu Kureshi, Resident Of 1633, Md Road, Near Muslim Musafir Khana, Lal Kothi Jaipur City (East)

----Respondents

For Petitioner(s)	:	Mr. Harendra Singh with Mr. Amit Shekhawat
For Respondent(s)	:	Mr. Jitendra Singh Rathore, Addl.G.A.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

21/08/2026

1. This suspension of sentence application has been filed by the accused-applicant along with the appeal.

2. Learned counsel for the accused-applicant submits that the accused-applicant has been convicted for the offences under Sections 498-A & 304-B IPC.

3. Learned counsel for the accused-applicant submits that the accused-applicant has been falsely implicated in this matter and he was not on bail during trial. He further submits that he served the sentence for more than seven years and minimum sentence prescribed under Section 304-B of IPC is seven years. He further submits that the sentence of life imprisonment has been awarded to the accused-applicant for the offence under Section 304-B of IPC. He further submits that the hearing of appeal may take long time and prayed that sentence awarded to the accused-applicant may be suspended and he be released on bail during the pendency of the appeal.

4. Learned Additional Government Advocate has opposed the application for suspension of sentence and submits that according to certificate submitted by the Superintendent, Central Jail, Jaipur dated 22.07.2026, the accused-applicant has served the sentence for more than seven years.

5. We have heard counsel for the parties and perused the record.

6. Considering the facts and circumstances of the present case, and also considering the facts that the accused-applicant has served the sentence for more than seven years and hearing of appeal may take long time, we deem it just and proper to allow this criminal miscellaneous suspension of sentence application.

7. In that view of the matter, this criminal miscellaneous suspension of sentence application is allowed and it is ordered that execution of sentence awarded to the accused-applicant shall remain suspended during the pendency of the criminal appeal and the accused-applicant be admitted to bail subject to satisfaction of

the trial Court with the stipulation that he shall appear before this Court on 23.09.2026 and thereafter as and when called upon to do so.

8. Office is directed to send a copy of this order to the concerned trial Court through e-mail/fax for necessary compliance.

(ASHUTOSH KUMAR),J (INDERJEET SINGH),J

2/Upendra Pratap Singh