HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension of Sentence Application (Appeal) No. 1496/2026

CNR: RJHC020646812026 | URN: SOSA / 2678U / 2026

IN

S.B. Criminal Appeal No.1565/2026

1. Kamal Singh S/o Sh. Shyam Singh, Aged About 82 Years, Resident Of Badsahapur, Police Station Badsahapur, District - Gurugram, Haryana. (At Present Confined In Central Jail, Alwar)
2. Sagar Singh @ Raja S/o Sh. Videsh Singh, Aged About 27 Years, Resident Of Badsahapur, Police Station Badsahapur, District - Gurugram, Haryana. (At Present Confined In Central Jail, Alwar)

----Petitioners

Versus

State of Rajasthan through Public Prosecutor

----Respondent

For Petitioner(s)	:	Mr. M.S. Raghav, Advocate
For Respondent(s)	:	Mr. Sudesh Kumar Saini, P.P. with Mr. Tapesh Agarwal, Advocate Mr. Ajay Singh Rajawat, Advocate

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HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI
Order

07/08/2026 :

Instant application for suspension of sentence under Section 430 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* has been filed by applicants-appellants, namely Kamal Singh and Sagar Singh @ Raja, alongwith the appeal to suspend the sentence awarded by the Court of ld. Additional Sessions Judge, Rajgarh (Alwar) vide its judgment dt.30.06.2026, in Sessions Case No.63/2018 whereby the applicants were convicted for the alleged offence(s) & sentenced to undergo maximum period of 10 years rigorous imprisonment with fine.

The submissions of learned counsel appearing for the applicants-appellants are that during the course of the trial, the parties

arrived at a compromise, and pursuant thereto, the learned Trial Court, by order dated 07.03.2022, acquitted the applicants of the offences punishable under Section 341 and 323 r/w. Section 34 of IPC The judgment of conviction & the order of sentence passed by the ld. Court below, is totally based upon surmises & conjectures and the appeal is likely to take long time to conclude. Hence, the sentence awarded to the applicants may be suspended during the pendency of the appeal.

Learned Public Prosecutor for the State submits that an appropriate order may be passed.

Learned counsel appearing for the complainant/ respondent has no objection, if the sentence awarded to the applicants is suspended during the pendency of the appeal.

Having considered the overall facts & circumstances of the case & the submissions made at bar and the fact that during trial, a compromise was arrived at between the parties and applicants were acquitted under Sections 341 & 323/34 I.P.C., but without commenting upon the merits of the case, this Court deems it just & proper to suspend the sentence awarded to the applicants.

Accordingly, this application for suspension of sentence, is allowed and it is, hereby, ordered that the execution of sentence awarded to the applicants, namely (i) Kamal Singh S/o Sh. Shyam Singh and (ii) Sagar Singh @ Raja S/o Sh. Videsh Singh, by the Trial Court vide judgment dated 30.06.2026, shall remain suspended during the pendency of the appeal, provided each of them furnishes a personal bond of Rs.50,000/- together with two sureties of Rs.25,000/- each, to the satisfaction of the ld. Trial Court with the stipulation that they shall appear before this Court on **07.09.2026** and thereafter, as and when he is called upon to do so.

(VINOD KUMAR BHARWANI),J.

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