

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.764 of 2015**

Krishna Yadav, S/o Shri Bhuvneshwar Yadav, aged about 25 years,
R/o Sakin Lalghat Balco, Thana Balco Nagar & District Korba (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Excise Circle Korba,
District Korba (C.G.)

---- Non-applicant

For Applicant	:	Shri Akhilesh Kumar, Advocate
For Non-applicant	:	Shri Anil S. Pandey, Government Advocate for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/09/2015**

(1) Heard on admission.

(2) This revision has been filed by the applicant against the impugned order dated 27.08.2015 passed by Second Additional Session Judge, Korba in Criminal Appeal No.51/2015 rejecting his application for suspension of sentence for his release during pendency of his appeal.

(3) Learned counsel appearing for the applicant would submit that considering the short term sentence awarded to the applicant, he is entitled to be released on bail and the learned Sessions Judge has committed illegality in rejecting the application for suspension of

sentence.

(4) Learned counsel appearing for the State submits that he is already represented and the matter is fixed for final hearing on 30.09.2015.

(5) After hearing learned counsel for the parties, I do not find any merit in this revision as the order rejecting application for suspension of sentence is discretionary in nature. However, the appellate Court is to ensure that the appeal is heard and decided on the next date of hearing i.e. 30.09.2015 and not unnecessarily adjourned. If for any sufficient reasons it is to be adjourned, to ensure that appeal is heard and decided within a month from today.

(6) With the aforesaid direction, the revision stands finally disposed off.

Certified copy today.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-