

**221 CRM-33351-2017 in
CRA-S-3709-SB-2017**

RAMPAL @ KALA V/S STATE OF HARYANA

Present: Mr. S.S. Jattan, Advocate
for the applicant/appellant.

Mr. Vikas Malik, DAG, Haryana.

The applicant/appellant has preferred this application for suspension of his sentence. He has been convicted by the Additional Sessions Judge, Ambala vide judgment dated 31.01.2017 in FIR No.62 dated 12.02.2014, under Sections 307/120-B of IPC and Section 25 of the Arms Act, registered at Police Station Mahesh Nagar, Ambala and vide order dated 11.08.2017, sentenced to undergo rigorous imprisonment for 07 years and to pay fine of Rs.5,000/-, in default of payment of fine, to undergo simple imprisonment for 06 months under Section 307 IPC/120-B of IPC, and rigorous imprisonment for 02 years and to pay fine of Rs.2,000/-, in default of payment of fine, to undergo simple imprisonment for 02 months under Section 25 of Arms Act.

Learned counsel for the applicant/appellant contends that the applicant/appellant is attributed a gun shot injury on the leg of the servant of the complainant. The applicant/appellant has undergone an actual sentence of about 03 years out of the total sentence of 07 years.

Learned State counsel has referred to the custody certificate which indicates that the applicant/appellant has undergone an actual sentence of 03 years, 02 months and 17 days as on 09.11.2017 out of the total sentence of 07 years.

Heard.

In view of the submissions of learned counsel for the applicant/appellant, especially when the applicant/appellant has undergone an actual sentence of over 03 years out of the total sentence of 07 years and hearing of the appeal is likely to take some time, I deem it appropriate to suspend the sentence of the applicant/appellant. Consequently, the application is allowed. The sentence of the applicant/appellant shall remain suspended during the pendency of the appeal. He shall be released on bail subject to his furnishing bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

December 05, 2017
SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE