

**241 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M No.7594 of 2017

Date of Decision: 22.03.2017

KRISHAN DUTT

-PETITIONER

VS

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Randhawa, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner was convicted and sentenced to undergo simple imprisonment for two years and to pay a fine of Rs.1000/- by the trial Court under Section 193 IPC. The fine was paid by the petitioner before the trial Court.

The sentence of the petitioner was suspended till 02.03.2017 in order to enable him to file appeal before the lower Appellate Court and to seek necessary orders for suspension of sentence.

Vide order dated 23.02.2017, the Additional Sessions Judge, Karnal did not suspend the sentence imposed by the trial Court, as a result of that, petitioner was taken into custody on 22.02.2017 even before expiry of period granted by the trial Court.

In my considered opinion, the lower Appellate Court should have extended the interim bail granted by the trial Court during pendency of the first appeal.

In view of above, it would be just and expedient to suspend the sentence of the petitioner during pendency of the appeal before the lower Appellate Court. The lower Appellate Court shall decide the case on merits.

Disposed of.

22.03.2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No