

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 912 of 2019**

- Vinod Sarthi S/o Gore Lal Aged About 27 Years R/o Karhaiyapara, Police Station Ratanpur, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Civil Line, District- Bilaspur, Chhattisgarh.

---- Respondent

31/07/2019	Shri Dashrath Prajapati, counsel for the applicant. Shri I.Lakra, Dy.GA for the respondent/State. Heard. Admit. Call for the records of the court below. Also heard on I.A. No.01, application for suspension of sentence and grant of bail. By the order dated 26.03.19 passed by the Judicial Magistrate First Class, Bilaspur in Cr.Case No.3685/2015 the applicant has been convicted under Section 379 IPC and sentenced to undergo RI for one year and to pay fine of Rs. 1,000/- with default stipulation. Being aggrieved by the above order the applicant preferred Criminal Appeal No. 106/2019 whereby the appellate court by the impugned judgment dated 23.07.19 affirmed the conviction and sentence of the applicant under Section 379 IPC as awarded by the trial court. Contention of the counsel for the applicant is that the maximum sentence which has been awarded to the	

applicant is of one year whereas he is in jail since 23.07.2019. He submits that the revision is likely to take much time for its final disposal and therefore he may be released on bail.

On the other hand, counsel for the State opposes the application.

Considering the totality of the fact, in particular the short term sentence awarded to the applicant without further commenting on merits I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the applicant.

Accordingly, the application is allowed.

It is directed that in the event of the applicant's executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court, he shall be released on bail. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge