

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1257 of 2019

1. Jaspal Singh Dhillon S/o Saheb Singh Dhillon, Aged About 22 Years, R/o Chakaul, Police Station Ajnala, District Amritsar (Punjab) At Present Resident of Village Kaudia, Police Station Nawagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
2. Amrit Singh Dhillon S/o Saheb Singh Dhillon, Aged About 20 Years, R/o Chakaul, Police Station Ajnala, District Amritsar (Punjab) At Present Resident of Village Kaudia, Police Station Nawagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Nawagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondent

For Applicants – Shri Lavkush Kumar Sahu, Advocate.

For State/Respondent – Shri Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-12-2019

Heard.

1. This revision has been brought challenging the impugned order dated 11-09-2019 passed by the appellate Court rejecting the application filed by the applicants under Section 389 of the Cr.P.C. for suspension of sentence and grant of bail.
2. The applicants stand convicted by the trial Court for offence under Section 457 read with Section 34, Section 380 read with Section 34 of the IPC and have been sentenced to undergo R.I. for 05 years and to pay fine of Rs.5000/- in default of payment of fine R.I. for 03 months and to undergo R.I. for 05 years and to pay fine of Rs.5000/- in default of payment of fine, R.I. for 03 months with a direction to run both the jail sentences concurrently.
3. Criminal Appeal No.56/2019 has been preferred before the Sessions Judge Bemetara (C.G.) and the application under Section 389 of the Cr.P.C.

filed therein by the applicants has been dismissed by the impugned order.

4. The Court has discretion to exercise the power under Section 389 of the Cr.P.C. After perusing the impugned order, I am of this opinion that the learned appellate Court has exercised the jurisdiction correctly, therefore, no error is found.

5. At this stage, learned counsel for the applicant submits that one of the applicants is suffering from some physical ailment.

6. The applicants are at liberty to file application before the learned Sessions Judge making a prayer for release on bail regular or temporary bail on the medical ground, which may be considered in accordance with law. Therefore, there is nothing left in this revision petition, which is dismissed at the motion stage.

Sd/-

(Rajendra Chandra Singh Samant)
Judge