HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc Suspension Of Sentence Application (Appeal) No. 1756/2024

In

D.B. Criminal Appeal No.327/2024

Asha D/o Shri Devilal, Aged About 33 Years, R/o Khatik Mohalla Surajpole Gate Jhalarapatan, Presently At Lucky Bai Kota Stone Factory Gopalpura Jhalawar Dist. Jhalawar (Presently Confined At Central Jail Jhalawar)

----Applicant

Versus

State of Rajasthan, Through Public Prosecutor

----Respondent

For Applicant(s)	:	Mr. Amit Dadhich
For Complainant(s)	:	None present
For State(s)	:	Mr. J.S. Rathore, Addl. G.A.

HON'BLE MR. JUSTICE PANKAJ BHANDARI
HON'BLE MRS. JUSTICE SHUBHA MEHTA

Order

12/12/2024

1. Accused/applicant has preferred this application for suspension of sentence.

2. Heard on application for suspension of sentence.

3. It is informed by learned Additional Government Advocate that victim/complainant has been intimated about filing of the appeal as well as the application for suspension of sentence. Report in this regard is taken on record.

4. No one has put in appearance on behalf of the victim, despite information.

5. It is contended by learned counsel for the accused-applicant that applicant has falsely been implicated in this case. Accused-applicant was not present at the place of occurrence. It is contended that the accused-applicant is a lady who has remained in custody for a period of three years. Disposal of the appeal will take time.

6. Learned Additional Govt. Advocate has opposed the application for suspension of sentence. It is contended that accused-applicant has murdered a four year old child. There is evidence to the fact that the accused-applicant took the child in a room and was with the deceased in the room. It is also contended that she has also made an extra judicial confession before the witnesses.

7. We have considered the contentions.

8. After considering the statement of P.W.-1, 7, 9 & 13, also taking note of the fact that the deceased in the case is a four year old child who has been brutally murdered, we are not inclined to entertain the application for suspension of sentence and the same is accordingly dismissed.

(SHUBHA MEHTA),J (PANKAJ BHANDARI),J

LAKSHYA-DAKSH/56