**HIGH COURT OF JUDICATURE FOR RAJASTHAN**
**BENCH AT JAIPUR**

S.B. Criminal Misc. Application (Suspension of Sentence) No.2344/2024
in
S.B. Criminal Appeal (Sb) No. 3314/2024

Yogesh S/o Rajsingh, R/o Aajau Police Station Kumher District Bharatpur.

----Appellant

Versus

State of Rajashtan, through Public Prosecutor

----Respondent

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| For Appellant(s) | : | Mr. Vishnu Kumar Sharma |
| For Respondent(s) | : | Mr. N.S. Dhakad, Public Prosecutor |

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**HON'BLE MR. JUSTICE GANESH RAM MEENA**
**Order**

**18/12/2024**

1. The accused-applicant/appellant has preferred the this present application for suspension of sentence under Section 430 of the B.N.S.S., 2023.

2. As per the certificate filed under Section 311(3) of the Rajasthan High Court Rules, the accused-appellant was on bail during trial and he did not misuse the liberty granted to him.

3. Learned counsel for the accused-applicant submits that the sentence awarded to the accused-applicant/appellant has already been suspended for a period of 30 days by the learned trial Court under the Provisions of Section 430 of the B.N.S.S.

4. Learned Public Prosecutor opposed the application for suspension of sentence.

5. Heard.

6. Considered the submissions made at bar and also perused the impugned judgement and order of conviction and sentence passed by the learned trial Court.

7. Taking into consideration the totality of the facts and circumstances of the case and also the findings given by the learned trial Court, this Court feels that it is a fit to suspend the sentence awarded to the accused-applicant/appellant.

8. Accordingly, the application for suspension of sentence is allowed and it is ordered that the sentence awarded to the accused-appellant, namely, **Yogesh S/o Rajsingh** in Sessions Case No.284/2013 shall remain suspended provided he furnishes a personal bond in the sum of Rs.1,00,000/- (Rupees One Lac only), together with two sureties in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the satisfaction of the learned trial Court to the effect that he shall appear before the Registrar (Judl.) on 20.01.2025 and further on subsequent date(s) as and when called upon to do so till the disposal of the appeal on the conditions as follows:-

i) After release of the accused appellant, he shall not indulge in any criminal activity and if it is found that he is involved in any criminal activity, the order shall be recalled.

ii) He will appear before the trial Court in the month of December of every year till the appeal is decided.

iii) If the appellant change the place of residence, he will give in writing his changed address to the trial Court as well as the counsel in the High Court.

iv). Similarly, if the sureties change their address, they will give in writing their changed address to the trial Court.

9. A copy of this order be sent to learned trial Court through e-mail.

(GANESH RAM MEENA),J

Ashish Kumar /89