HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc Suspension Of Sentence Application (Appeal) No. 60/2025

Suresh S/o Ugrasen @ Ugriya Kanjar, Aged About 33 Years, R/o Shaadi Ps Begun, Dist. Chittorgargh. (Lodged In Sub Jail Begun, Chittorgarh.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Anil Vyas
For Respondent(s)	:	Mr. Kuldeep Singh Kumpawat, Asst. to Mr. Deepak Choudhary, AAG

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

14/02/2025

Heard learned counsel for the appellant as well as learned Assistant to Addl. Advocate General and perused the material available on record.

Learned counsel for the appellant submits that the appellant was on bail during the trial and hearing of the appeal will take sufficient long time. Therefore, the sentence may kindly be suspended.

Learned Assistant to Addl. Advocate General opposed the prayer made by the counsel for the appellant.

Upon a consideration of the arguments advanced on behalf of the appellant and having regard to the facts and circumstances of the case, the appellant was on bail during the trial, therefore, this Court is of the opinion that it is a fit case for suspending the sentences awarded to the accused appellant.

Accordingly, the application for suspension of sentence filed under Section 389 Cr.P.C is allowed and it is ordered that the

sentence in the judgment dated 25.11.2024 passed by the learned Addl. District & Sessions Judge, Begun, Chittorgarh, in Sessions Case No.65/2021 (32/2016) against the appellant-applicant Suresh S/o Ugrasen @ Ugriya Kanjar, shall remain suspended till final disposal of the aforesaid appeal and he will be released on bail, provided he executes personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for his appearance in this court on 18.03.2025 and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

1. That he/she/they will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the applicant(s) changes the place of residence, he/she/they will give in writing his/her/their changed address to the trial Court as well as to the counsel in the High Court.
3. Similarly, if the sureties change their address(s), they will give in writing their changed address to the trial Court.

The learned trial Court shall keep the record of attendance of the accused-applicant(s) in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused-applicant(s) was/were tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file shall not be taken into account for statistical purpose relating to pendency and disposal of cases in the trial court. In case the said accused applicant(s) does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(MANOJ KUMAR GARG),J

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