HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension of Sentence Application No.181/2026
IN
S.B. Criminal Revision Petition No.700/2026
CNR: RJHC020345512026 | URN: CRLR / 1290U / 2026

Devilal S/o Balchand, Aged About 30 Years, R/o Karalgao, P.s Bakani, Dist. Jhalawar. (Raj.)

----Applicant

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Applicant(s)	:	Mr. Amit Dadhich
For Respondent(s)	:	Mr. Jitendra Singh Rathore, P.P.

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

28/10/2026

1. The present suspension of sentence application has been preferred under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, challenging the judgment dated 18.02.2026 passed by the learned Additional Sessions Judge, Jhalawar, District Jhalawar in Criminal Appeal No.35/2025, whereby the learned Appellate Court has dismissed the appeal preferred by the applicant against the judgment and order dated 21.04.2022 passed by the learned Additional Chief Judicial Magistrate No.1, District Jhalawar, in Criminal Case No.203/2014, whereby the applicant has been convicted for the offence under Section 354 IPC and sentenced to undergo one year simple imprisonment along with a fine of Rs.5,000/- and in default

Digitally signed by
DANISH USMANI
Date: 2026.10.30
10:24:42 IST

of payment of fine, the applicant shall undergo an additional one month's simple imprisonment.

2. Certificate under Section 311(3) of the Rajasthan High Court Rules, 1952, is placed on record by counsel for the applicant which shows that the applicant was on bail during the trial as well as during the pendency of the appeal and is presently confined at Central Jail, Jhalawar.

3. It is contended by the counsel for the applicant that the applicant was convicted under Section 354 IPC for one year, the applicant was on bail during the trial and as the regular hearing of the criminal revision petition may take considerable time, the suspension of sentence application of the applicant may be allowed.

4. Learned Public Prosecutor has vehemently opposed the suspension of sentence application of the applicant.

5. Heard and perused the material available on record.

6. Upon consideration of the submissions advanced by learned counsel for the parties and having regard to the facts and circumstances of the case, particularly the fact that the applicant was on bail during trial and never breached the conditions, the regular hearing of the criminal revision petition may take considerable time and without expressing any opinion on the merits of the case, this Court deems it just and proper to suspend the sentence awarded to the applicant.

7. Accordingly, the application for suspension of sentence filed on behalf of the applicant is allowed. It is ordered that the sentence awarded to the applicant – **Devilal S/o Balchand,** in Criminal Case No.203/2014 shall remain suspended, provided he

furnishes a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty-Five Thousand only) each to the satisfaction of the learned Trial Court, undertaking to appear before this Court on 30.11.2026 and thereafter on subsequent date(s) as and when called upon to do so, till the disposal of the revision petition, subject to the following conditions:-

(i) That the applicant shall appear before the learned Trial Court in the month of January of every year till the revision petition is decided.

(ii) That if the applicant changes his place of residence, he shall furnish his changed address in writing to the learned Trial Court as well as to his counsel before this Court.

(iii) That if the surety/sureties change their address(es), they shall furnish their changed address(es) in writing to the learned Trial Court.

8. The learned Trial Court shall keep the record of attendance of the applicant in a separate file. Such file shall be registered as a Criminal Miscellaneous Case related to the original case in which the applicant was tried and convicted. A copy of this order shall also be placed in that file for ready reference. The Criminal Miscellaneous file shall not be taken into account for statistical purposes relating to the pendency and disposal of cases before the learned Trial Court. In case the applicant fails to appear before the learned Trial Court, the learned Trial Judge shall report the matter to this Court for cancellation of bail.

(PRAVEER BHATNAGAR),J

DA-70-SOSR/DANISH USMANI