HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension of Sentence Application No.2128/2026
IN
S.B. Criminal Appeal No.2306/2026
CNR: RJHC020981422026 | URN: SOSA / 3849U / 2026

Nagarmal Saini S/o Niranjanlal Saini, Aged About 35 Years, (At Present 35 Years) R/o Near Dhani Aamli Wali Kolihan Nagar. Khetri, District Jhunjhunu. The Then Technical Assistant, Office Of The Assistant Engineer, Ajmer Vidhyut Vitran Nigam Limited, Khetri, District Jhunjhunu. (At Present Confined In Central Jail, Jhunjhunu)

----Applicant/Appellant

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Applicant(s)	:	Mr. Vijander Singh with Mr. Vishwas Saini
For Respondent(s)	:	Mr. Manvendra Singh, P.P.

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

27/10/2026

1. This suspension of sentence application under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the appellant-applicant. The applicant has been convicted and sentenced by the learned Special Judge Prevention of Corruption Act, District Jhunjhunu, vide its judgment dated 30.09.2026 passed in Regular Criminal Case No.07/2026 as under:-

> **Section 7 of the Prevention of Corruption (PC) Act, 1988:** Three years simple imprisonment and fine of Rs.25,000/- and in default of payment of fine, 1 month additional simple imprisonment.

Digitally signed by
DANISH USMANI
Date: 2026.10.29
10:16:25 IST

Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption (PC) Act, 1988: Four years simple imprisonment and fine of Rs.25,000/- and in default of payment of fine, 1 month additional simple imprisonment.

2. Learned counsel for the appellant-applicant submits that the applicant was on bail during the trial and presently he is behind the bars and the applicant never misused the liberty granted to him during bail, the regular hearing of the appeal is likely to take considerable time, therefore, considering the aforesaid facts, the application for suspension of sentence may be allowed.

3. Learned Public Prosecutor vehemently has opposed the application for suspension of sentence.

4. Certificate under Rule 311(3), Rajasthan High Court Rules is submitted by the applicant to the fact that applicant was on bail during trial and at present he is confined in Central Jail Jhunjhunu since 30.09.2026.

5. Heard and perused the material available on record.

6. Upon considering the arguments advanced by counsel for the parties and material available on record, especially considering the fact that the applicant was on bail during trial and has never misused the liberty granted to him during bail, regular listing of the appeal may take considerable time, therefore, this Court deems it just and proper to allow the application for suspension of sentence.

7. Accordingly, the application for suspension of sentence filed under Section 430 of BNSS is allowed and the sentence awarded to the appellant-applicant: **Nagarmal Saini S/o Niranjanlal Saini,** in Regular Criminal Case No.07/2026, shall remain

suspended during pendency of the appeal. The appellant-applicant shall be released on bail, provided he furnishes a 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 Court, for appearance before the learned trial Court on 27.11.2026 and whenever ordered to do so till disposal of the appeal, subject to the following conditions:—

1. That the appellant-applicant shall appear before the learned trial Court in the month of January of every year till the appeal is decided.
2. That in case the appellant-applicant changes the place of residence, they shall furnish the changed address in writing to the learned trial Court as well as to the counsel appearing before this Court.
3. That in case the surety/sureties change their address, he/she/they shall furnish the changed address in writing to the learned trial Court.

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

(PRAVEER BHATNAGAR),J

DA-77/DANISH USMANI