HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Application for Suspension of Sentence No.2189/2026
IN
S.B. Criminal Appeal (Sb) No. 2376/2026
CNR: RJHC021011192026 | URN: CRLAS / 4170U / 2026

Sugher Singh S/o Sh. Late Muharman Singh, Aged About 68 Years, Resident Of House No. 180, Ward No. 2, Mehroli, New Delhi Present Suspended- Assistant Manager, Central Bank Of India, Branch- Sarola Kalan, District- Jhalawar (Now Retd.) Permanent Resident Of - 1279, 3Rd Floor, Sector-37, Faridabad, Haryana-121003. ----Appellant

Versus

State Of Rajasthan, Through Special Public Prosecutor.

----Respondent

For Appellant(s)	:	Mr. Vishwas Saini for Mr. M.S. Raghav
For Respondent(s)	:	Mr. Manvendra Singh, P.P.

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

28/10/2026

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, Session Court, Prevention of Corruption Act, Kota (Rajasthan), vide its judgment dated 05.10.2026 passed in Session Criminal Case No.10/2012 as under:-

> **Under Section 7 of the Prevention of Corruption Act, 1988**: Three years rigorous imprisonment along with fine of Rs.25,000/- and in default of payment of fine, six months additional simple imprisonment.
>
> **Under Section 13(1)(D) read with 13(2) of the PC Act**: Three years rigorous imprisonment along with fine of Rs.25,000/- and in default of

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payment of fine, six months additional simple imprisonment.

2. It is contended by the learned counsel for the applicant that the applicant was on bail during trial and never violated the conditions, the trial Court itself suspended the applicant's sentence and as the regular hearing of the appeal may take considerable time, this suspension of sentence application may be allowed.

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

4. Certificate under Rule 311(3), Rajasthan High Court Rules is submitted by the learned counsel for the applicant to the fact that applicant was on bail throughout the period of trial and after conviction, his sentence has already been suspended for a period of one month and presently he is on bail.

5. Heard and perused the material available on record.

6. Taking into consideration the aforesaid facts, especially considering the fact that applicant was on bail during trial and never violated the conditions, the learned trial Court itself suspended the sentence of the applicant and the regular hearing 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: **Sugher Singh S/o Sh. Late Muharman Singh** in Session Criminal Case No.10/2012, 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 30.11.2026 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 change 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 fails 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

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