HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension of Sentence Application No.2276/2026
In

S.B. Criminal Appeal No. 2492/2026
CNR: RJHC021050902026 | URN: CRLAS / 4367U / 2026

Ramgilas Son Of Shri Kirodilal, Aged About 56 Years, Resident Of Kotra Dhahar, Police Station Sadar Hindaun City, District Karauli (Rajasthan).

----Appellant

Versus

State Of Rajasthan, Through P.P.

----Respondent

For Appellant(s)	:	Mr. Akash Sharma, Adv. for Mr. Fatehram Meena, Adv.
For Respondent(s)	:	Mr. Manvendra Singh, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

16/11/2026

1. The instant application for suspension of sentence under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been preferred by the applicant against the judgment dated 18.09.2026, passed by learned Additional Sessions Judge, Court No.2, Hindaun City, District Karauli, in Sessions Case No.33/2019, whereby the applicant has been convicted for the offences under Sections 147, 148, 341, 323/149, 324/149 and 325/149 of the Indian Penal Code, 1860, and sentenced as under:-

Under Section 147 IPC:

One year's simple imprisonment and a fine of Rs.1,000/-, in default of payment of fine, one month's additional simple imprisonment.

Under Section 148 IPC:
One year's simple imprisonment and a fine of Rs.2,000/-, in default of payment of fine, three months' additional simple imprisonment.

Under Section 341 IPC:
One month's simple imprisonment.

Under Section 323/149 IPC:
One year's simple imprisonment and a fine of Rs.1,000/-, in default of payment of fine, one month's additional simple imprisonment.

Under Section 324/149 IPC:
One year's simple imprisonment and a fine of Rs.1,000/-, in default of payment of fine, one month's additional simple imprisonment.

Under Section 325/149 IPC:
Two years' simple imprisonment and a fine of Rs.3,000/-, in default of payment of fine, three months' additional simple imprisonment.
All the substantive sentences awarded to the accused-appellant shall run concurrently.

2. It is contended by learned counsel for the applicant that learned trial Court has not appreciated the evidence in its correct perspective. It is further submitted that the learned trial Court itself suspended the sentence awarded to the applicant while imposing the sentence, as the sentence awarded is up to three years. It is further submitted that the applicant remained on regular bail during the course of trial and never violated any of the conditions of bail, regular hearing of the appeal is likely to take

considerable time, therefore, the application for suspension of sentence may be allowed.

3. Learned Public Prosecutor has vehemently opposed the submissions made by learned counsel for the applicant and prays that the present application for suspension of sentence may be dismissed.

4. Certificate under Rule 311(3) of the Rajasthan High Court Rules has been furnished to the effect that the sentence awarded to the applicant has been suspended by the learned trial Court for a period of two months and the applicant is presently not confined in jail.

5. Heard and perused the material available on record.

6. Upon considering the arguments advanced by learned counsel for the parties and the material available on record, especially considering the fact that the sentence awarded to the applicant has already been suspended by the learned trial Court for a period of two months and the applicant remained on bail during the course of trial without any allegation of misuse of the liberty granted to him, regular hearing of the appeal is likely to take considerable time, therefore, this Court deems it just and proper to suspend the sentence awarded to the applicant during the pendency of the appeal.

7. Accordingly, the application for suspension of sentence filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and it is ordered that the sentence awarded to the applicant-**Ramgilas Son Of Shri Kirodilal,** by learned Additional Sessions Judge, No. 2, Hindaun City, District Karauli, in Sessions Case No.33/2019, vide judgment dated 18.09.2026,

shall remain suspended during the pendency of the appeal, provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Court, undertaking to appear before this Court on 17.12.2026 and as and when called upon to do so till the disposal of the appeal, 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 appeal 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 learned counsel representing him before this Court, who shall, in turn, inform this Court.

(iii) That if any surety changes his address, the surety shall furnish the changed address in writing to the learned trial Court.

8. The learned trial Court shall maintain a record of the attendance of the applicant in a separate file. Such file shall be registered as a Criminal Miscellaneous Case relating to the original case in which the 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 the pendency and disposal of cases before the learned trial Court. In the event that the applicant fails to appear before the learned trial Court, the learned trial Judge shall report the matter to this Court for cancellation of the benefit extended by this order.

(PRAVEER BHATNAGAR),J

Crt_14/D-A/2/Ashwani Kr Srivastava