

**IN THE COURT OF 2ND ADDITIONAL DISTRICT AND SESSIONS
JUDGE, ANAND @ KHAMBHAT**

CRIMINAL APPEAL NO. **04 /2025**

ORDER BELOW APPLICATION U/S 430 BNSS

1. The applicant being original accused before the trial court in **Criminal Case No. 1897/2023** was convicted and sentenced to undergo simple imprisonment for **one year (01)** and **fine** of **Rs. 10,000-00** along with **compensation** to the tune of **Rs. 1,69,150-00** to be paid to the complainant and in default of the same, to further undergo, simple imprisonment for 3 months, vide **order dtd 12/12/2024**. The impugned judgment has been challenged by the applicant-accused under this appeal and inter-alia this application for suspension of sentence has been filed.
2. Heard Id. Advocate for the applicant-accused and Id. APP.
3. Ld. advocate for the applicant-accused has contended that; the convict has deposited the amount of fine to the tune of Rs. 10,000-00; he is ready to deposit 20% amount within 30 days ; convict is on bail and shall always attend the court proceedings before this court also without fail.
4. Considering the fact that convict has deposited the fine amount and he is ready to deposit the 20% of the compensation amount within 30 days and the mandate of Section 430 of the BNSS. this court deems it fit to use its discretion in favour of the convict, therefore, following order is passed;

: O R D E R :

- ➔ This application is hereby allowed conditionally.
- ➔ The execution of the sentence, inflicted on the present

appellant-accused vide impugned order as stated above u/s 138 of the N.I Act, is hereby suspended till the disposal of this appeal on execution of bail bond of **Rs. 10,000-00 (Ten Thousand only)** with one surety of the like amount.

- ➔ Convict shall deposit the 20% amount of the compensation within 30 days from the date of this order.
- ➔ **Yadi of this order be sent to the Id. trial court at once.**
- ➔ Bail bond and surety bond be furnished Id. trial court.
- ➔ The applicant shall regularly attend the court on each date of hearing and shall also be bound by the terms and conditions previously imposed by Id. trial court.
- ➔ Pronounced and signed in the open court on today 16th **day**

January, 2025.

Date : **16-01-2025**

Place : Khambhat

(Parveen Kumar)
2nd Additional District & Sessions Judge,
Anand @ Khambhat
JUDGE CODE - GJ-01511