

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings Through Video Conferencing****CRA No. 128 of 2022**

- Tileshwar Dhruv, S/o Jhadiram Dhurv, aged about 25 Years, R/o Gitkera, Police Station Palari, District Baloda Bazar- Bhatapara, Chhattisgarh.

----Appellant**Versus**

- State of Chhattisgarh, Through Police Station Palari, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

20/01/2022	Ms. Supriya Upasane, counsel for the appellant. Mr. Kashif Shakeel, Deputy A.G. for the State. Heard on admission. The appeal is admitted for hearing. Call for the record of the trial Court. Also heard on I.A. No.01 of 2022, application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 16.12.2021 passed by the Additional District and Sessions Judge, FTSC (POCSO Act), Baloda-Bazar, C.G. in Misc. Criminal Case (POCSO) No.48/2020, the appellant stands convicted and sentenced as under: <table border="1"> <tr> <td>Conviction</td><td>Sentence</td></tr> </table>	Conviction	Sentence
Conviction	Sentence		

Under Section 454 of Indian Penal Code	Rigorous Imprisonment for one year and fine of Rs.500/-, in default of payment of fine amount to undergo further additional rigorous imprisonment for three months
Under Section 354 (क) of Indian Penal Code	Rigorous Imprisonment for one year and fine of Rs.500/-, in default of payment of fine amount to undergo further additional rigorous imprisonment for three months

(Both sentences were directed to run concurrently)

Considering the facts and circumstances of the case, in particular the fact that the maximum sentence awarded to the appellant is of one year, the appellant has already deposited the entire fine amount with the concerned trial Court and that due to COVID-19 pandemic, disposal of the appeal is likely to take some time, without expressing any opinion on the merits of the case, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant and to release him on bail.

Accordingly, the application (I.A. No.01 of 2022) is allowed.

It is directed that the execution of substantive jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the trial Court. He shall appear before the Registry of this Court on **09.05.2022** and thereafter appear before the trial Court on a date to be given by the Registry and thereafter continue to appear before the trial Court on all such dates as are given to him by the said Court till

disposal of this appeal.

List the case for final hearing in due course.

Sd/-
Gautam Chourdiya
Judge