

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 118 of 2022

1. Chanchal Sonwani S/o Krishna Sonwani Aged About 22 Years R/o Village Bhaisa, Police Station Kharora, District Raipur Chhattisgarh.
2. Sanoj Sonwani S/o Krishna Sonwani Aged About 19 Years R/o Village Bhaisa, Police Station Kharora, District Raipur Chhattisgarh.

---- Appellants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kharora, District Raipur Chhattisgarh.

---- Respondent

30.05.2022	Mr. B.S. Rajput, counsel for the appellants. Mr. Avinash K. Mishra, Govt. Advocate for the State/respondent. Heard on application for suspension of sentence and grant of bail to the appellants. By the impugned judgment dated 06.12.2021 passed by the learned Additional Sessions Judge/Second FTC Court, Raipur, District- Raipur (C.G.) in Special Criminal Case (POCSO) No. 159/2018, the appellants stand convicted, as under:- <table><tr><th>Conviction</th><th>Sentence</th></tr><tr><td>U/s 451/34of IPC</td><td>: R.I. for 1 year and fine of Rs.200/-,</td></tr></table>	Conviction	Sentence	U/s 451/34of IPC	: R.I. for 1 year and fine of Rs.200/-,
Conviction	Sentence				
U/s 451/34of IPC	: R.I. for 1 year and fine of Rs.200/-,				

		in default of payment of fine, 1 month R.I.
U/s 354/34 of IPC (Two times)	:	R.I. for 3-3 years and fine of Rs. 200 - 200/-, in default of payment of fine, 3-3 months R.I.
U/s 8 of POCSO Act, 2012 (Two times)	:	R.I. for 3-3 years and fine of Rs.200-200/-, in default of payment of fine, 3-3 months R.I.
U/s 323 of IPC (Two times)	:	fine of Rs.100-100/-, in default of payment of fine, 1-1 months R.I.

Sentences are directed to run concurrently.

Considering the fact that the maximum jail sentence awarded to the appellant is RI for three years, the appellants were on bail during trial and did not misuse the liberty granted to them and even after conviction, their jail sentences were temporarily suspended by the trial Court under Section 437(A) of Cr.P.C., so as to make it convenient to prefer an appeal and get bail from this Court and further considering the fact that the appeal being of the year 2022, final hearing of the same likely to take time, I am inclined suspend the sentence of appellants and release them on bail.

Accordingly, application for suspension of sentence and grant of bail is allowed and it is directed that execution of further substantive jail sentence of the appellants shall remain suspended and they shall be released on bail on executing personal bond in sum of Rs. 25,000/- each with one surety in the like sum to the satisfaction of trial Court for their appearance before the Registry of this Court on **01st August, 2022**. They shall thereafter appear before the trial Court on a

	date to be given by the Registry of this Court and shall continue to appear on all such subsequent dates as to be given to them by the said Court till the disposal of this appeal. List this appeal for final hearing in due course. Sd/- (Narendra Kumar Vyas) Vacation Judge
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Deshmukh