



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 228 of 2025

1 - Pardeshi Ram Dewangan S/o Jethuram Dewangan Aged About 55 Years R/o Kandarka, Police Station Nandini, Ahiwara, District Durg (C.G.), Presently R/o Bajrang Nagar, Birgaon, Police Station Urla, District Raipur (C.G.)

2 - Smt. Saraswati Bai Dewangan W/o Pardeshi Ram Dewangan Aged About 43 Years R/o Kandarka, Police Station Nandini, Ahiwara, District Durg (C.G.), Presently R/o Bajrang Nagar, Birgaon, Police Station Urla, District Raipur (C.G.)

3 - Jitendra Dewangan S/o Ram Bagash Dewangan Aged About 26 Years R/o Gandhi Nagar, Birgaon, Police Station Urla, District Raipur (C.G.)

... Appellants

versus

State Of Chhattisgarh Through District Magistrate Raipur, District Raipur (C.G.)

... Respondent

Order Sheet

14/02/2025	Mr. Maneesh Sharma, Counsel for the Appellant. Ms. Prabha Sharma, Panel lawyer for the State. Heard on IA No. 01/2025, an application for suspension of sentence and grant of bail. By the impugned judgment dated 22.01.2025 passed in Special Sessions Case No. 14 of 2019 arising out of Crime No. 154 of 2018 of Police Station Urla, Distt. Raipur (C.G.)
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passed by Additional Sessions Judge (POCSO) Fast Track, Special Court Raipur (C.G.), wherein the appellants stands convicted as under:-

<u>Conviction</u>	<u>Sentence</u>
Under Section 363/34 of IPC	R.I for 02 years with fine of Rs. 1000/- each, in default RI for 01 month each.
Under Section 366/34 of IPC	RI for 05 years with fine of Rs. 2000/- each, in default RI for 01 month each.
All Sentences to run concurrently.	

Learned counsel for the appellants submits that appellants have been falsely implicated in this case, they have not committed any offence as alleged against them. The appellants have a good case in their favour. During the proceeding before the Trial Court, appellants were on bail and they never misused the liberty granted to them. Conclusion of the appeal may take time, hence, sentence awarded to appellants may be suspended and they be enlarged on bail.

Per contra, learned counsel for the State opposes the bail application filed by the learned counsel for the appellants.

I have heard learned counsel for the parties and perused the record with utmost circumspection.

Considering the totality of the facts, in particular the sentence awarded to the appellants and the period of detention without further commenting on merits, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellants.

Accordingly, the substantive jail sentence imposed upon the appellants by the learned trial court is hereby suspended. The appellants shall be released on bail on their executing a bail bond of Rs.10,000/- each with one surety in the like amount to the satisfaction of the concerned Trial court for their appearance before the Registry of this Court on 10.03.2025. Thereafter, they shall appear before the concerned trial court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to them by the Trial Court, till the final disposal of this appeal.

Consequently, IA No. 01/2025 stands allowed.

List this case for final hearing in its due course.

sd/-

(Arvind Kumar Verma)

JUDGE