



HIGH COURT OF CHHATTISGARH, BILASPUR

2026:CGHC:9879

CRA No. 257 of 2019

- Balvir Singh @ Bittu, S/o Shri Bishan Singh, aged about 42 Years, R/o New Khursipaar, District-Durg Chhattisgarh.

---- Appellant

Versus

- State of Chhattisgarh Through Arakshi Centre, Khursipaar District Durg Chhattisgarh.

---- Respondent

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06/03/2019	Mr. Ashutosh Triwedi, Advocate for the appellant. Mr. H.S. Ahluwalia, Dy. Adv. General for the State. Heard on IA No.1 of 2019, application for suspension of sentence and grant of bail to the appellant. By the impugned judgment dated 29.1.2019 passed by the learned Special Judge, (FTC), Durg, District-Durg, Chhattisgarh in Sessions Trial No.23/2011, Appellant stands convicted as under:- <table><tr><th>Conviction</th><th></th><th>Sentence</th></tr><tr><td>U/s 498-A of the Indian Penal Code.</td><td>:</td><td>RI for 2 years & fine amount of Rs.1,000/- and in default of payment of fine further R.I. for the period of 1 month.</td></tr><tr><td>U/s 306 of the Indian Penal Code.</td><td>:</td><td>RI for 5 years & fine amount of Rs.1000/- and in default of payment of fine further R.I. for the period of 1 month.</td></tr><tr><td>U/s 4 of Dowry Prohibition Act.</td><td>:</td><td>RI for 2 years & fine amount of Rs.1,000/- and in default of payment of fine further R.I. for the period of 1 month.</td></tr></table>			Conviction		Sentence	U/s 498-A of the Indian Penal Code.	:	RI for 2 years & fine amount of Rs.1,000/- and in default of payment of fine further R.I. for the period of 1 month.	U/s 306 of the Indian Penal Code.	:	RI for 5 years & fine amount of Rs.1000/- and in default of payment of fine further R.I. for the period of 1 month.	U/s 4 of Dowry Prohibition Act.	:	RI for 2 years & fine amount of Rs.1,000/- and in default of payment of fine further R.I. for the period of 1 month.
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Learned counsel for the appellant submits that appellant has been wrongfully convicted by the trial Court in the judgment without there being any evidence in support of the offence charged against her. No case is made out against the appellant on the basis of the evidence brought by the prosecution. The appellant had been on bail during the period of trial and there is no likelihood of this appeal to come up for final hearing in near future, hence, prayed that his application be allowed.

On the other hand, Learned counsel for the State has opposed the bail application and submissions made in this respect.

Heard both the parties and perused the record of the trial Court.

After perusing the evidence present on the record of trial Court and for the reason that the appellant had been on bail during the period of trial, I am of this opinion that it will be proper to release the appellant on bail during the pendency of this appeal.

Accordingly, the bail application is allowed.

Execution of substantive jail sentences imposed upon the appellant shall remain suspended during the pendency of this appeal and she shall be released on bail on her execution a personal bond for a sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **14.5.2019**. He shall thereafter appear before the 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 her by the said Court, till the disposal of this appeal.

List this case for final hearing in due course.

Sd/-

(Rajendra Chandra Singh Samant)

Judge