



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 338 of 2026

Ashok Kumar Gandharv S/o Pawan Singh Gandharv, Aged About 21 Years R/o Salhekota, P.S. Marwahi, District Gaurela- Pendra- Marwahi (C.G.)

... Appellant

versus

State of Chhattisgarh Through P.S. Marwahi, District Gaurela- Pendra- Marwahi (C.G.)

... Respondent

Order Sheet

17/03/2026	Mr. Shyam Kumar, Advocate for the appellant. Mr. Tarkeshwar Nande, P.L. for the State/respondent. Heard on I.A. No.01/2026 for suspension of sentence and grant of bail to the Appellant. By the impugned judgment dated 16.1.2026 passed by learned Special Additional Sessions Judge, Pendraroad, District Bilaspur (C.G.), in Special Session Case No. 10/2025, whereby the appellant has been convicted and sentenced as under:- <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: center;">Conviction</th><th style="width: 50%; text-align: center;">Sentence</th></tr> </thead> <tbody> <tr> <td>U/s 76 of BNS</td><td>R.I. for 3 years and fine of Rs. 1,000/-, in</td></tr> </tbody> </table>	Conviction	Sentence	U/s 76 of BNS	R.I. for 3 years and fine of Rs. 1,000/-, in
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U/s 76 of BNS	R.I. for 3 years and fine of Rs. 1,000/-, in				

	default of payment of fine amount additional R.I. for 1 month
U/s 7 & 8 of POCSO Act	R.I. for 5 years and fine of Rs. 1,000/-, in default of payment of fine amount additional R.I. for 1 month
Both sentences were directed to run concurrently	
Learned counsel for the appellant submits that the appellant is innocent and has been wrongly convicted in the case. There is no material evidence available on record against him. He also submits that the appellant is in jail since 06.03.2025. The conclusion of this appeal is likely to take some time. Therefore, the jail sentence of the appellant may be suspended till final disposal of the case. On the other hand, learned State counsel opposes the bail application and submits that the victim was minor aged about 7 years. Considering the facts and circumstances of the case, evidence on record against the appellant and further considering the age of the victim, without commenting on merits of the case, I am not inclined to allow IA No.01/2026. Accordingly, the application (I.A. No. 01/2026) is rejected. List the matter on admission in the month of June, 2026. Sd/- (Sanjay Kumar Jaiswal) Judge	
Shubham	