



2026:CGHC:3741

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 281 of 2022

Mohammad Ikram S/o Late Mohammad Ismail, Aged About 23 Years (At Present 25 Years) , Permanent R/o Vinoba Nagar Pathak Gali, Police Station Tarbahar, District Bilaspur Chhattisgarh.

---- Appellant

Versus

The State Of Chhattisgarh through Police Station Tarbahar District Bilaspur Chhattisgarh.

---- Respondent

30/03/2022	Mr. U.N.S. Deo and Mr. Satish Gupta, Advocates for the appellant Mr. Sudhir Sahu, PL for the State. Heard on I.A. No. 01/2022, application for suspension of sentence and grant of bail. By the impugned judgment dated 21/01/2022 passed in Special Criminal Case (POCSO Act) No. 34/2020 by the Additional Sessions Judge, Second Fast Track Special Court, Bilaspur, the appellant has been convicted and sentenced under the following manner:- <table><tr><th>Conviction</th><th>Sentence</th></tr><tr><td>U/s 354 of the IPC.</td><td>RI for 3 years and to pay fine of Rs. 1000/- with default stipulation.</td></tr><tr><td>U/s 7/8 of the Protection of Children from Sexual Offences Act, 2012</td><td>RI for 3 years and to pay fine of Rs. 1000/- with default stipulation.</td></tr></table> Counsel for the appellant submits that the appellant has a good case and has every hope to succeed the appeal on merits. The appeal will take some time for its final disposal. The appellant was on bail during trial and he had not misused the liberty and at present he is on bail for the limited period. The appellant is ready to furnish adequate security and shall abide by all the directions and conditions which may be imposed by this Hon'ble High Court, so, he prays to suspend the jail sentence of the appellant. Per contra, counsel appearing on behalf of the State opposes the application for suspension of sentence and grant of bail to the appellant.	Conviction	Sentence	U/s 354 of the IPC.	RI for 3 years and to pay fine of Rs. 1000/- with default stipulation.	U/s 7/8 of the Protection of Children from Sexual Offences Act, 2012	RI for 3 years and to pay fine of Rs. 1000/- with default stipulation.
Conviction	Sentence						
U/s 354 of the IPC.	RI for 3 years and to pay fine of Rs. 1000/- with default stipulation.						
U/s 7/8 of the Protection of Children from Sexual Offences Act, 2012	RI for 3 years and to pay fine of Rs. 1000/- with default stipulation.						



Despite service of notice to the prosecutrix, no one appears on her behalf.

I have heard counsel for the parties and perused the impugned judgment.

Having considered the submissions of the parties, particularly considering the short sentenced awarded to the appellant and the fact that the appellant was on bail during trial and he had not misused the liberty and at present he is on bail for a limited period, without further commenting on merits of the case, I am inclined to allow the application for suspension of sentence and grant of bail.

Accordingly, I.A. No. 01/2022 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. 5000/- with one surety to the satisfaction of the trial Court for his appearance before the said Court on 29/04/2022 and thereafter the appellant shall 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. Trial Court is directed to provide the date of appearance to the appellant at the intervals of 6 months.

Post the matter for final hearing in due course.

Sd/-
(Deepak Kumar Tiwari)
Judge