



HIGH COURT OF CHHATTISGARH AT BILASPUR
CRA No. 411 of 2026

1 - Suresh Gupta S/o Late Chandrika Prasad Gupta, Aged About 58 Years
 Sub Engineer, Nagar Panchayat Abhanpur, District Raipur Permanent
 Address House No. 302, Near Mother Pride School, Sunder Nagar, Raipur
 (C.G.)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Anti Corruption Bureau, Raipur, District
 Raipur (C.G.)

--- **Respondent(s)**

CRA No. 425 of 2026

1 - Anil Sharma S/o Late Shri Dashrath Lalji Sharma Aged About 69 Years
 Retd. Cmo Nagar Panchayat, Abhanpur, District Raipur Permanent
 Address House No. 758, Sunder Nagar, P.S. D.D. Nagar, Near Sai Mandir,
 Raipur, District Raipur (C.G.)

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through Anti Corruption Bureau, Raipur District
 Raipur (C.G.)

--- **Respondent(s)**

Order Sheet

19/02/2026	Mr. Prafull N. Bharat, Senior Advocate assisted by Mr. Keshav Dewangan, counsel for the Appellants.

Mr. Sumit Singh, Dy. A. G. for the State/respondent.

Heard on I.A. No.01/2026, applications under Section 430 of BNSS for suspension of sentence and grant of bail.

By the impugned judgment of conviction dated 31.01.2026 passed by the learned Special Judge (Prevention of Corruption Act), District Raipur C.G. in Special Session Case No.03/2019, appellants stand convicted for the offence punishable mentioned as under:

<u>Conviction</u>	<u>Sentence</u>
<u>CRA No.411 of 2026</u>	
U/s. 7 of Prevention of Corruption Act, 1988 read with Section 120(B) of Indian Penal Code and under Section 7 of the Prevention of Corruption Act, 1988.	R.I. for 03 years & fine of Rs.50,000/- and in default of payment of fine amount additional R.I. for 06 months and R.I. for 03 years & fine of Rs.50,000/- and in default of payment of fine amount additional R.I. for 06 months.
<u>CRA No.425 of 2026</u>	
U/s. 7 of Prevention of Corruption Act, 1988 read with Section 120(B) of Indian Penal Code and under Section 7 of the	R.I. for 03 years & fine of Rs.50,000/- and in default of payment of fine amount additional R.I. for 06 months and R.I. for 03 years & fine of

Prevention of Corruption Act, 1988.	Rs.50,000/- and in default of payment of fine amount additional R.I. for 06 months.
All the sentence run concurrently	

Learned counsel appearing for the appellants submit that the appellants have been wrongly convicted by the learned trial Court in the absence of any clinching evidence on record against him. He further submits that the written complaint was lodged in the name of the Chairman and the Chief Municipal Officer of the Nagar Panchayat, namely Anil Sharma. Notably, the name of Suresh Gupta does not find mention anywhere in the said complaint. However, at the time of the trap, an amount of ₹2,00,000/- was seized from Suresh Gupta. It is pertinent to state that no charge-sheet was filed against the Chairman. Further, no recovery or seizure whatsoever has been effected from Anil Sharma, against whom the allegation of demand was allegedly made. Both the appellants remained in judicial custody for a period of 21 days during the course of trial. The fine amount imposed upon them has already been deposited. At present, both the appellants are on bail, and the final adjudication of the appeal is likely to take considerable time, therefore, prays that the sentence imposed upon the appellants by the

learned trial Court be kept in abeyance and that the appellants be released on bail during the pendency of the appeal.

On the other hand, learned counsel appearing for the respondent/State supports the judgment of conviction passed by the learned Trial Court and opposes the application seeking suspension of sentence and grant of bail to the appellants.

I have heard both counsel for the parties and perused the documents available on record with due care.

Considering the entire facts and circumstances of the case and the fact that the appellants have already on bail and he has deposited the fine amount imposed upon him, the final disposal of this appeal is likely to take considerable time, therefore, I find it appropriate to allow the applications (I.A. No. 01/2026) and suspend the jail sentence of the appellants during pendency of this appeal.

Accordingly, the I.A. No. 01/2026 are **allowed**.

The execution of substantive jail sentence imposed upon both the appellants shall remain suspended during the pendency of this appeal on executing a personal bond for a sum of Rs.25,000/- each with one surety each for the like

Saxena	sum to the satisfaction of the concerned trial Court for their appearance before the Registry of this Court on 01.05.2026. 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 them by the said Court, till disposal of this appeal. Call for records of the trial Court. List this matter after four weeks. Sd/- (Sanjay Kumar Jaiswal) Judge
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