



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 314 of 2026

1 - Gajendra Sharma S/o Late Vishnu Prasad Sharma, Aged About 34 Years, R/o Kanchanbag, Near Water Tank, Ps - Basantpur, Distt - Rajnandgaon, Chhattisgarh.

... Applicant

versus

1 - State Of Chhattisgarh Through - District Magistrate Balod, Distt - Balod, Chhattisgarh.

... Respondent

Order on Board

02/03/2026	<p>Mr. Hemant Kumar Agrawal, Advocate for the Applicant.</p> <p>Mr. Kanhaiya Ram Yadav, P.L. for the State.</p> <p>Heard on admission.</p> <p>Admit.</p> <p>Also heard on I.A. No.01/2026, application for suspension of sentence and grant of bail.</p> <p>The accused/applicant has been convicted and sentence to undergo R.I. for 06 months and fine of Rs.1000/- with default stipulation for the offence punishable under Section 338 of IPC by the JMFC, Doundilohara, Dist. Balod (C.G.)</p> <p>Being aggrieved by the impugned judgment dated 10.10.2024, passed by learned JMFC,</p>

Doundilohara, Distt. Balod, in Criminal Case No. 1361/2022, the applicant/accused preferred an appeal i.e. Criminal Appeal No. 64/2024, wherein vide order/judgment dated 18.02.2026, the learned Additional Sessions Judge, Balod (C.G.) partially modified the order passed by the learned JMFC and convicted and sentenced the applicant to undergo R.I. for 03 months instead of 06 months and fine of Rs.1,000/- with default stipulation under Section 338 of IPC.

Learned counsel for the applicant submits that the applicant/accused is innocent and has been falsely implicated in the case. He next submits that the short sentence i.e., R.I. for 03 months has been awarded to the applicant out of which he has already served the jail sentence of about 12 days and has deposited the fine amount imposed upon him. The applicant is in jail since 18.02.2026 and the conclusion of this revision petition is likely to take considerable time, therefore, the substantive jail sentence of the applicant may be suspended till the final disposal of this case, and he may be released on bail.

Heard learned counsel for the applicant and perused the material available on record.

Considering the facts and circumstances of the case, and also taking into account that the applicant has deposited the fine amount imposed upon him, and he in jail since 18.02.2026, and

further considering that the disposal of this revision petition is likely to take considerable time, I am inclined to suspend his jail sentence and grant bail to the applicant.

Accordingly, I.A. No. 01/2026 is **allowed**.

It is directed that the substantive jail sentence of the applicant shall remain suspended till final disposal of this revision petition and he shall be released on bail on his executing 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 **5th May, 2026**. He shall thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter, continue to appear before the trial Court on all such subsequent dates as are given to him by the said Court till disposal of this case.

Call for record of the trial Court.

List this case in the month of April, 2026.

CC today.

Sd/-

**(Sanjay Kumar Jaiswal)
Judge**