



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 572 of 2025

- Sanjay Nagesh S/o Shri Kaiela Ram Aged About 22 Years R/o.
Village- Durdih Kadampara, Thana- Dhaurpur, Distt.- Surguja (C.G.)

... Appellant.

versus

- State Of Chhattisgarh Through The District Magistrate Ambikapur,
Distt.- Surguja (C.G.).

... Respondent(s)

Order Sheet

28/03/2025	Shri Sumit Shrivastava, counsel for the appellant. Shri Pranjal Shukla, PL for State/respondent. Heard. Admit. Also heard on I.A. No. 01/2025, an application under Section 430 of BNSS, 2023 for suspension of sentence and grant of bail. By virtue of the impugned judgment of conviction and order of sentence dated 04.02.2025 in Session Trial No. 118/2022 passed by the learned Second Additional Sessions Judge, Ambikapur District Surguja

Chhattisgarh, whereby appellant has been convicted and sentenced as under:

Conviction	Sentence
Under Section 325 of Indian Penal Code	R.I. for 03 years and fine of Rs. 1000/- in default of payment of fine additional RI for 01 month.
Under Section 323 of Indian Penal Code	S.I. for 06 months and fine of Rs.500/- in default of fine additional SI for 10 days.

Learned Counsel appearing for the appellant contended that the appellant has a *prima facie* good case in his favor and he is hopeful to succeed in it. The appellant was arrested on 14.07.2022 though there is nothing on record on the basis of which he is sentenced. The disposal of this Criminal appeal is likely to take long time. Learned counsel for the appellant also submits that the appellant was also granted temporary bail after passing of the judgment by the trial Court for the period of 30 days for filing of this appeal. He further submits that appellant is ready to abide by all the terms and conditions which may be imposed by this Hon'ble Court while suspending the jail sentence of the appellant.

Learned State Counsel objected the prayer stating that as per the judgment rendered by the Trial Court all incriminating circumstances are against the accused appellant which connects him with the crime and chain

Avinash	of circumstances are fully linked. Having regard to the submission of learned counsel for the parties and considering the facts and circumstances of the case, further considering the totality of the facts, in particular the short sentence awarded by the trial court to the appellant and that the appellant has been granted temporary bail by the trial Court for 01 month, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant. Accordingly, I.A. No.1/2025 is allowed. Accordingly, the substantive jail sentence imposed upon the appellant by the learned trial court is hereby suspended. The appellant shall be released on bail on his executing a bail bond of Rs.10,000/- with one surety in the like amount to the satisfaction of the concerned Trial court for his appearance before the Registry of this Court on 29.04.2025. Thereafter, he shall appear before the concerned 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 him by the Trial Court, till the final disposal of this appeal. List this case for final hearing in its due course. Sd/- (Arvind Kumar Verma) Judge
---------	--