



2026:CGHC:18873-DB

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 617 of 2022Ajay -**Versus**- State of Chhattisgarh

11.04.2023	Mr. Akhtar Hussain, Advocate for the Appellant. Ms. Madhunisha Singh, Dy. A.G. for the State. Heard on I.A.No.1, application for suspension of sentence and grant of bail. The appellant has been convicted by the judgment dated 01.04.2022 passed by the learned Court below in Special Criminal Case No.27/2019 in the following manner with a direction to run the sentences concurrently. <table><tr><th>Conviction</th><th></th><th>Sentence</th></tr><tr><td>U/s. 363 of I.P.C.</td><td>:</td><td>R.I. for 2 years and fine of Rs.500/- in default of payment of fine, 1 month additional R.I.</td></tr><tr><td>U/s. 366 of I.P.C.</td><td>:</td><td>R.I. for 5 years and fine of Rs.500/- in default of payment of fine, 1 month additional R.I.</td></tr><tr><td>U/s. 376(2)(N) of I.P.C</td><td>:</td><td>R.I. for 20 years and fine of Rs.500/- in default of payment of fine, 1 year additional R.I.</td></tr></table> Learned counsel for the appellant would submit that the applicant has been falsely implicated in the present case and he is in jail since 09.08.2019; therefore, he may be released on bail.	Conviction		Sentence	U/s. 363 of I.P.C.	:	R.I. for 2 years and fine of Rs.500/- in default of payment of fine, 1 month additional R.I.	U/s. 366 of I.P.C.	:	R.I. for 5 years and fine of Rs.500/- in default of payment of fine, 1 month additional R.I.	U/s. 376(2)(N) of I.P.C	:	R.I. for 20 years and fine of Rs.500/- in default of payment of fine, 1 year additional R.I.
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On the other hand, learned State counsel submits that the victim was a minor girl and she was subjected to abduction and rape by the appellant, therefore, he is not entitled for suspension of sentence and grant of bail.

We have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.

Considering the nature of offence, the evidence available on record against the appellant and also the fact a minor girl was abducted and subjected to rape by the appellant, we do not inclined to suspend the sentence and grant bail to the appellant. Accordingly, I.A.No.1 is rejected.

List the matter for final hearing.

Sd/-
(Sanjay K. Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice