



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 484 of 2025

- 1 - Dinesh Kumar Gupta S/o Ramvriksha Prasad Aged About 56 Years Aged About 56 Years, (Wrongly Mentioned As 45 Years), Resident Of Village Nagar Ramanujganj, Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)**

- 2 - Vinod Kumar Gupta S/o Chaturi Sao Aged About 61 Years (Wrongly Mentioned As 50 Years), Resident Of Village Nagar Ramanujganj, Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)**

- 3 - Deepak Kesari S/o Vinod Kesari Aged About 36 Years (Wrongly Mentioned As 32 Years), Resident Of Village Nagar Ramanujganj, Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)**

- 4 - Sunil Kumar Gupta S/o Kapurchand Sao Aged About 48 Years (Wrongly Mentioned As 36 Years), Resident Of Village Nagar Ramanujganj, Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)**

- 5 - Omprakash Gupta S/o Rajkumar Gupta Aged About 45 Years (Wrongly Mentioned As 38 Years), Resident Of Village Nagar Ramanujganj, Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)**

6 - Sanjay Gupta S/o Rajkumar Gupta Aged About 50 Years (Wrongly Mentioned As 40 Years), Resident Of Village Nagar Ramanujganj, Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)

... applicantss

versus

1 - State Of Chhattisgarh Through Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.)

... Respondent(s)

Order Sheet

<p>16/04/2025</p>	<p>Dr. N. K. Shukla, Sr. Advocate along with Mr. Shailendra Shukla, learned counsel for the applicants.</p> <p>Ms. Binu Sharma, Panel Lawyer for the Respondent/ State.</p> <p>The Revision is admitted for hearing.</p> <p>Call for the record of the trial Court as well as the appellate Court.</p> <p>Also heard on I.A. No. 1 of 2025, which is an application for suspension of sentence and for grant of bail.</p> <p>The applicants has challenged the impugned judgment/order dated 07.04.2025, passed by Session Judge, Balrampur-Ramanujganj, District Balrampur-Ramanujganj (C.G.) in Criminal Appeal No. 55/2018 whereby the appeal preferred by the applicants has been dismissed upholding the judgment of conviction and sentence dated 14.11.2018 passed by Chief</p>

Judicial Magistrate, Balrampur-Ramanujganj passed in Criminal Case No. 97/2013, wherein the applicants has been convicted and sentenced as under:-

S. No.	Conviction	Sentence
1.	Under Section 420 read with Section 34 of IPC	R.I. for three years and fine of Rs. 500/-, in default of payment of fine, further undergo R.I. for one month.

Learned counsel for the applicants would submit that the incident is of the year 2003 whereas the FIR has been lodged in the year 2006 and in the FIR, the present applicants has not been named. He has been made accused in the year 2017 while invoking the powers under Section 319 of Cr.P.C. It is alleged that total Rs. 10,06,236/-, Rs. 52,000/- Rs. 93,286/-, Rs. 1,80,896/-, Rs- 1,70,056/- and Rs. 2,20,625/- have been deposited in the bank accounts of the respective applicants whereas the persons in whose names the cheques were issued, have not been examined and the account of the present applicants have also not been produced in the case. The person who inquired the matter has died and therefore, no opportunity of his cross-examination have been available to the applicants during the trial yet the learned trial Court has convicted him and sentenced. He would further submit that during the trial as well as during the pendency of the appeal, the applicants was on bail and has not misused the

liberty granted him and presently he is in jail since 07/04/2025. The revision is of the year 2025 and it will take its own time for final adjudication, therefore, the applicants may be enlarged on bail.

On the other hand, learned counsel for the State, opposes the submissions made by learned counsel for the applicants.

Considering the submission made by learned counsel for the parties, also considering the nature of allegation made against the applicants; further considering that during trial and as well as during appeal he was on bail and the total period of sentence awarded to the applicants is of three years and further the applicants is in jail since 7.4.2025 i.e. from passing of the impugned judgment and the fact that final hearing of this revision would take some long time, I deem it appropriate to allow the application for suspension of sentence and grant of bail to the applicants.

Accordingly, the substantive jail sentence awarded to applicants by the learned trial Court is hereby suspended.

They shall be released on bail their executing bail on their furnishing a personal bond for a sum Rs. 25,000/- each with one surety each in like sum to the satisfaction of the Trial Court for their appearance before Registry of this Court on 18/06/2025.

They shall thereafter, 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 said Court, till disposal of this appeal.

Consequently, I.A. No. 01/2025 stands disposed of.

List this case for final hearing along with CRR No. 475/2025, CRR 477/2025, CRR 485/2025.

Sd/-
(Ravindra Kumar Agrawal)
Judge