



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 525 of 2025

1 - Md. Shafiq S/o Ikram Aged About 50 Years R/o Village - Dhauli, P.S. - Snawal, District Balrampur-Ramanujganj (C.G.)

... applicant

versus

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

... Respondent(s)

Order on Board

24/04/2025	Mr. Bhupendra Singh, learned counsel for the applicant. Ms. Priya Sharma, Panel Lawyer for the Respondent/ State. The Revision is admitted for hearing. Call for the record of the trial Court as well as the appellate Court. Also heard on I.A. No. 1 of 2025, which is an application
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for suspension of sentence and for grant of bail.

The applicant 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. 50/2018 whereby the appeal preferred by the applicant has been dismissed upholding the judgment of conviction and sentence dated 14.11.2018 passed by Chief Judicial Magistrate, Balrampur-Ramanujganj passed in Criminal Case No. 97/2013, wherein the applicant 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 applicant 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 applicant 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. 1,81,316/- has been deposited in the bank account of the applicant whereas the persons in whose names the cheques were issued, have not been examined and the account of the present applicant has 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 applicant 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 applicant 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 applicant may be enlarged on bail.

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

Considering the submission made by learned counsel for the parties, also considering the nature of allegation made against the applicant; further considering that during trial and as well as during appeal he was on bail and the total period of sentence awarded to the applicant is of three years and further the applicant 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 applicant.

Accordingly, the substantive jail sentence awarded to applicant- Md. Shafiq by the learned trial Court is hereby

suspended.

He shall be released on bail his executing bail on his furnishing a personal bond for a sum Rs. 25,000/- with one surety in like sum to the satisfaction of the Trial Court for his appearance before Registry of this Court on 18/06/2025. He 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 484/2025, CRR 485/2025.

Sd/-

(Ravindra Kumar Agrawal)
Judge