

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 335 of 2016

- Puranlal Dhruw S/O Ganeshram Dhruw Aged About 21 Years R/O Village Saragaon, Police Station Chura, District Gariyabandh, Chhattisgarh.

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station Chura, Gariyaband, Chhattisgarh.

---- Respondent

10/03/2016	Shri Anjinesh Shukla, counsel for the appellant. Shri Rahul Tamaskar, P.L. for the State. Heard on admission. Admit. Call for the records of the court below. Also heard on I.A. No.01, application for suspension of sentence and grant of bail. By the impugned judgment dated 01.02.2016 passed by the Additional Sessions Judge Gariyaband in Sessions Trial No.55/2014 the accused/appellant stands convicted under Sections 354 and 323 IPC and Section 8 of the Protection of children from Sexual Offences Act and sentenced to undergo RI for one year and fine of Rs. 500/- u/s. 354; to pay fine of Rs. 500/- u/s. 323 and to undergo RI for three years and fine of Rs. 500/- u/s. 8 with default stipulations. Contention of the counsel for the appellant is that the maximum sentence which has been awarded to the appellant is of three years. He submits that during trial the appellant was on bail and even after pronouncement of judgment impugned he has been granted bail. He further submits that the appeal is likely to take sometime for its	

final disposal therefore he may be released on bail.

On the other hand, counsel for the State opposes the bail application.

Considering the totality of the fact in particular the short sentence awarded to the appellant, without further commenting on merits, I am of the opinion that present is a fit case to suspend the jail sentence imposed upon the appellant.

Accordingly, the application is allowed.

It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in like sum to the satisfaction of the trial court. The appellant need not give appearance anywhere until and unless otherwise directed.

Sd/-

Pritinker Diwaker
Judge