

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1456 of 2015

- Santosh Verma S/O Shantilal Verma Aged About 35 Years R/O Village - Kurubhanth, Thana - Dongargarh, Distt. Rajnandgaon Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through - Police Station Dongargarh, Civil / Revenue Distt. Rajnandgaon Chhattisgarh

---- Respondent

24/11/2015	Shri Samir Singh, counsel for the appellant. Shri U.K.S.Chandel, 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 04.11.2015 passed by the Special Judge (Atrocities) Rajnandgaon in Special Case No. 17/2015, the accused/appellant stands convicted under Section 354 IPC, Section 3(1)(XI) of the SC/ST Prevention of Atrocities Act and Section 8 of the Protection of Children from Sexual Offences Act and sentenced him to undergo RI for 1 year under Section 354; RI for 6 months under Section 3(1)(11) and RI for 3 years under Section 8 and to pay fine of Rs. 100/- on each count with default stipulations. Contention of the counsel for the appellant is that the maximum sentence which has been awarded to the appellants is of three years. He submits that during trial the appellant was on bail and even after the	

pronouncement of the judgment impugned he has been been granted bail. He further submits that the appeal is likely to take sometime for its final disposal, therefore the appellant may be released on bail.

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

Considering the totality of the fact, in particular the short term sentence awarded to the appellant and the fact that he has been granted bail by the trial Court, 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