



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 816 of 2026

- Yugal Kishore Nirmalkar S/o- Shri Santkumar Nirmalkar, Aged About 27 Years R/o- Village Banseoni, At Present Bemcha, Thana And Tahsil- Mahasamund, District- Mahasamund (C.G.)

... Applicant

versus

- State of Chhattisgarh Through The District Magistrate, Mahasamund, District- Mahasamund (C.G.)

... Respondent

Order Sheet

02/07/2026	Mr. Sumit Shrivastava, counsel for the applicant. Ms. Nand Kumari Kashyap, PL for the State/respondent. Heard on admission. Admit. Call for the record. Also heard on I.A. No.01/2026, an application for suspension of sentence and grant of bail to the applicant. By the impugned judgment dated 25.06.2026 passed

by the learned Sessions Judge, Mahasamund, District Mahasamund (C.G.) in Criminal Appeal No. H-57/2026, the learned Appellate Court modified the judgment dated 10.06.2026 passed by the learned Chief Judicial Magistrate, Mahasamund, District Mahasamund (C.G.) in Criminal Case No. 5498/2025 by reducing the sentence awarded to the applicant under Section 25 of the Arms Act from simple imprisonment for two years with a fine of ₹5,000/- to simple imprisonment for one year with a fine of ₹1,000/-. In default of payment of the fine, the applicant shall further undergo simple imprisonment for one month.

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that both the learned trial Court and the learned Appellate Court have failed to properly appreciate the evidence available on record. He further submits that during trial, the applicant remained in custody for about 7 months against the sentence of one year's imprisonment. He also submits that the final disposal of the criminal revision is likely to take some time. Therefore, it is prayed that the substantive jail sentence of the applicant be suspended during the pendency of the present criminal

revision.

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

I have heard learned counsel for the parties and perused the documents available on record.

Considering the facts and circumstances of the case, the short sentence imposed upon the applicant and further considering the detention period of the applicant and that the disposal of this revision is likely to take some time, this Court is of the opinion that present is a fit case to suspend the substantive jail sentence imposed upon the applicant and to release him on bail.

Accordingly, the application (I.A. No. 01/2026) is allowed. It is directed that the substantive jail sentence imposed upon the applicant shall remain suspended till final disposal of this case on his executing a personal bond for a sum of Rs.15,000/- with one surety for the like sum to the satisfaction of the concerned trial Court for his appearance before the Registry of this Court on 06.10.2026. He shall thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter,

<i>Priyanka</i>	continue to appear before the concerned trial Court on all such subsequent dates as are given to him by the said Court till disposal of this revision. List this case for final hearing in due course. Sd/- (Radhakishan Agrawal) Judge
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