



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 999 of 2020

Lalan Panika S/o Ramnarayan Panika Aged About 35 Years R/o Village Shivpur, Police Station Charcha, District Koriya Chhattisgarh.

... Appellant.

versus

State of Chhattisgarh Through Station House Officer, Police Of Police Station Charchha District Koriya Chhattisgarh.

---- Respondents

26/02/2026	Mr. Anil Gulati, Advocate for the appellant. Mr. Jitendra Shrivastava, GA for the State. Heard on IA No.1, application for suspension of sentence and grant of bail to the appellant. By the impugned judgment of conviction and order of sentence dated 17/01/2020 (Annexure A-1), the appellant stands convicted as under:-

Conviction	Sentence
Under Section 450 of the IPC.	RI for 10 years & fine of amount Rs.1,000/-, in default of payment of fine, 03 months additional RI.
U/s 376(2)(N) of the IPC.	RI for 10 years & fine of amount Rs.1,000/-, in default of payment of fine, 03 months additional RI.
U/s 506(B) of the IPC.	RI for 05 years.
All the sentences directed to run concurrently Learned counsel for the appellant submits that appellant has been falsely implicated in this case, he has not committed any offence as alleged against him. During trial, appellant was on bail and he never misused the liberty granted to him earlier. After impugned judgment of conviction, he is in jail and thereby already served about half of the jail sentence. Appeal may take some time for final hearing, hence, sentence awarded to appellant may be suspended and he be enlarged on bail. In support of his submission, he places reliance upon the law laid down by the Hon'ble Supreme Court in the matter of Narcotic Control Bureau	

**versus Lakhwinder Singh {Criminal Appeal No(S). 475 of 2025
Arising out of S.L.P. (Criminal) No(S). 5215/2021.}.**

Learned State Counsel opposing the bail application of the appellant.

Heard counsel for the parties.

Considering facts of the case, nature of offence, submissions of counsel for the parties, during trial appellant was on bail and he never misused the liberty granted to him earlier, particularly the fact that appellant has already served about half of the jail sentence and appeal may take some time for final hearing, further considering the law laid down by the Hon'ble Supreme Court in the matter of **Narcotic Control Bureau vs. Lakhwinder Singh** (supra) wherein it has been observed/held that if the accused has already undergone half of the substantive sentence awarded to him, he would be entitled to be released on bail, I am inclined to suspend the sentence and release the appellant on bail.

Accordingly, I.A. No.1, application for suspension of sentence and grant of bail to appellant is allowed. It is directed that execution of substantive jail sentences imposed on appellant shall remain suspended and he be released on bail on his executing a personal

bond for a sum **Rs.10,000/-** with one surety for the like sum to the satisfaction of the Trial Court for his appearance before the Registry of this Court on **30.04.2026**. He shall thereafter appear before the Trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such other subsequent dates as are given to him by the said Court, till disposal of this appeal.

List this case for final hearing in due course.

Certified copy, as per rules.

Sd/-
(Arvind Kumar Verma)
Judge