



## HIGH COURT OF CHHATTISGARH AT BILASPUR

### CRA No. 1294 of 2025

**1** - Tulsi Sharma S/o Late Suman Sharma Aged About 32 Years R/o Baidam, P.S.- Tantijhariya, District- Hazari Bhag (Jharkhand), Present Address Taraimal, P.S.- Punjipathra, District- Raigarh C.G.

**... Appellant**

**versus**

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

**... Respondent**

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>07/08/2025</b> | <p>Mr. Abhinav Dubey, counsel for the appellant.</p> <p>Ms. Priya Sharma, P.L. for the State/respondent.</p> <p>No one appeared on behalf of the victim, though notice has been served.</p> <p>Heard on I.A. No. 01/2025, application for suspension of sentence and grant of bail.</p> <p>By the impugned judgment dated 10.06.2025 passed by learned Additional Sessions Judge, Fast Track Special Court (POCSO Act), Ramanujganj, District - Balrampur-Ramanujganj (C.G.) in Special Sessions (POCSO) Case No. 59/2022, whereby the appellant has</p> |



been convicted and sentenced as under:-

| Conviction              | Sentence                                                                                                  |
|-------------------------|-----------------------------------------------------------------------------------------------------------|
| U/s 12 of the POCSO Act | R.I. for 2 years and fine of Rs. 500/-, in default of payment of fine amount additional R.I. for 1 month. |

Learned counsel for the appellant submits that the appellant is innocent and is falsely implicated in the case, and there is no material evidence against the appellant. He also submits that the appellant is already on bail, and he has already deposited the fine amount imposed upon him and a maximum sentence of 2 years has been awarded to the appellant, out of which the appellant has already served the jail sentence of 7 days during trial, and the conclusion of this appeal is likely to take considerable time. Therefore, the jail sentence of the appellant may be suspended till the final disposal of the case.

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

Considering the facts and circumstances of the case and also considering the fact that the appellant has already on bail, the fine amount has already been deposited by him, and the final disposal of this appeal is likely to take considerable time, therefore, I am inclined to allow the application.

Accordingly, the application (I.A. No. 01/2025) is **allowed**. It is directed that the substantive jail sentence



imposed upon the appellant shall remain suspended till final disposal of this case on his executing a personal bond for a sum of Rs. 25,000/-with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **7<sup>th</sup> October, 2025**. He shall thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter, continue to appear before the trial Court on all such subsequent dates as are given to him by the said Court till disposal of this appeal.

Call for the records of the trial Court.

List this case for final hearing after two weeks.

Certified copy as per rules.

**Sd/-**  
**(Sanjay Kumar Jaiswal)**  
Judge