



NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**CRA No. 1756 of 2025**

**1 - Sujit Gupta S/o Ajay Gupta Aged About 21 Years R/o Shikari Road,  
Ambikapur, P.S.- Ambikapur, District- Surguja (C.G.)**

**2 - Ajit Gupta S/o Ajay Gupta Aged About 21 Years R/o Shikari Road,  
Ambikapur, P.S.- Ambikapur, District- Surguja (C.G.)**

**... Appellant(s)**

**versus**

**1 - State Of Chhattisgarh Through P.S- Ambikapur, District- Surguja (C.G.)**

**... Respondent(s)**

(Cause title taken from Case Information System)

**Order sheet**

|                          |                                                                                                                                                                                                                                                                                                        |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                          |                                                                                                                                                                                                                                                                                                        |
| <b><u>14/10/2025</u></b> | <p>Mr. Harpreet Singh Ahluwalia, Advocate for the appellants.</p> <p>Ms. Priya Sharma, Panel Lawyer for the State.</p> <p>Pursuant to the order dated 16.09.2025, the wife of the victim/complainant appeared through virtual mode from DLSA, Surguja and raised objection in granting bail to the</p> |



appellants. Her objection is taken on record.

Heard on I.A. No. 1 of 2025, which is an application for suspension of sentence and grant of bail.

The appellants have been convicted and sentenced by the judgment of conviction and order of sentence dated 28-07-2025, passed in Special Sessions (Atrocities) Case No. 25 of 2022, by learned Special Judge (Atrocities), Ambikapur, District Surguja (C.G.), in the following manner:-

| Conviction                                          | Sentence                                                                                                                  |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| U/s. 427/34 of IPC                                  | Rigorous Imprisonment for 06 months and fine of Rs. 5000/-, in default of payment of fine additional R.I. for 01 month.   |
| U/s. 452/34 of IPC                                  | Rigorous Imprisonment for 01 year and fine of Rs. 5000/-, in default of payment of fine additional R.I. for 01 month.     |
| U/s. 307/34 of IPC                                  | Rigorous Imprisonment for 07 years and fine of Rs. 10,000/-, in default of payment of fine additional R.I. for 03 months. |
| All the sentences are directed to run concurrently. |                                                                                                                           |

Learned counsel for the appellants would submit that, the appellant No. 1 was on bail during the trial, however, the appellant No. 2 is in jail since 28-02-2022. There is no allegation against the appellant No. 1 that he also caused injuries to the victim and the allegation of causing injury to the victim is only upon the appellant No.



2. The total period of sentence awarded to the appellants is of 07 years and out of which the appellant No. 2 has already served more than 03 years and 06 months. He would further submit that the FIR was lodged against an unknown person. However, during the investigation, the name of the present appellants came. Had the appellant been assaulted by the victim, immediately after the incident, their name should appear in the police report as also in the medical report of the hospital. The appellants had gone to meet the tenant of the victim and on this allegation, he raised objection and falsely implicated the appellants. The appellant No. 1 has also received injuries on his body and it is a free fight between them with respect to the objection raised by the victim, when the appellants went to meet their tenant. There is no premeditation of assault. The appeal is of the year 2025, final hearing of the appeal will take its own time. Therefore, the appellants may be released on bail.

On the other hand, learned counsel for the State opposes and has submitted that, prior to the incident in the evening, there was an altercation between the appellant No. 1 and the victim, and in the same night, both the appellants, who are brothers, entered into the house of the victim, damaged his Scorpio vehicle and when he came out from his house, both the appellants assaulted the victim by knife. By the assault made by the appellants, he received grievous injuries including perforation of his intestine and his omentum came out from the body.



Looking to the injuries and the manner in which the victim was being assaulted, the appellants are not entitled for bail.

I have heard learned counsel for the parties and perused the record of the case and have gone through the evidence available on record.

Considering the submissions made by learned counsel for the parties, considering the manner in which the assault has been made to the victim (PW-2) and the nature of injuries received by him, further considering the statement of the doctor as well as other witnesses, I am not inclined to release the appellants on bail.

Accordingly, the application I.A. No.1 of 2025 is **rejected**.

List this case for final hearing after six weeks.

Sd/-  
**(Ravindra Kumar Agrawal)**  
Judge