

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 13 of 2024**

1 - Anuj Pandey S/o Sachidanand Pandey, Aged About 22 Years
R/o Camp 1, Behind Hanuman Mandir, Chawni, P.S. Chawni, District : Durg,
Chhattisgarh

---- Appellant**Versus**

1 - State Of Chhattisgarh

Through Police Station Bhilai Bhatt (Wrongly Mentioned As Bhilai Batti) Durg, District :
Durg, Chhattisgarh

---- Respondent

30.01.2024	Mr. Sudhanshu Kumar Singh, learned counsel for the appellant. Mr. Ajay Pandey, learned Govt. Advocate, for the Respondent/State. By the impugned judgment dated 08.12.2023, the learned First Additional Session Judge, Durg, Dist- Durg (C.G.) in Session Trial No. 75/2020, has convicted the appellant for the offence punishable under Sections 323 of the IPC and sentenced him to undergo for R.I. for 01 year and fine of Rs. 1000/- and in default of payment of fine further R.I. for 01 month. Heard on admission. Admit. Record has already been received. Also heard on I.A. No. 01/2024 which is application of suspension of sentence and grant of bail.

Learned counsel for the appellant would submit that the complainant as well as the witnesses have not supported the case of prosecution and there is every possibility of acquittal in the case. The appeal will take its own time for its final adjudication and in view of the short sentence awarded to the appellant and as also in view of that learned trial court has suspended the sentence for a limited period. The appellant may be enlarged on bail after suspending the sentence.

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

Considering the submission made by the learned counsel for the parties, I am inclined to suspend the sentence awarded to the appellant by the learned Trial Court. The appellant shall be released on bail on furnishing personal bond for a sum Rs. 25,000/- with one surety for the likesome to the satisfaction of the Trial Court for his appearance before Registry of this Court on 18th March, 2024 and all such subsequent dates which are to be given by the Registry of this Court.

List this case for final hearing.

Sd/-
(Ravindra Kumar Agrawal)
Judge