

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION) NO.
1601 of 2026**

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JAYANTIBHAI LALLUBHAI SHARMA
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR ANVESH V VYAS(5654) for the Applicant(s) No. 1
MR DHAVALKUMAR L DESAI(11889) for the Applicant(s) No. 1
MR. ROHAN H. RAVAL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL**Date : 05/06/2026****ORAL ORDER**

1. Heard, learned advocate for the applicant.
2. By way of present Criminal Revision Application, the applicant has assailed the judgment and order dated 05.05.2026 passed in Criminal Appeal No. 206 of 2024 by the learned 5th Additional Sessions Judge, Gandhinagar, confirming the judgment and order dated 12.06.2024 passed in Criminal Case No. 4324 of 2008, by the learned Judicial Magistrate First Class, Dehgam, whereby, the applicant is convicted for the offences punishable under Sections 415, 417, 465, 468 and 471 of the Indian Penal Code, 1860 and sentenced to rigorous imprisonment for a period of three years and directed to fine of Rs.5,000/- and in default of fine further simple imprisonment for a period of three months.

3. Having heard and considering the averments made in the present application, issue **Rule**. Learned Additional Public Prosecutor waives service on behalf of respondent – State.

3.1. Learned advocate for the applicant has raised various contentions with regards to the non-appreciation of documentary as well as oral evidence. These aspects are required to be gone through at the time of final hearing.

3.2. Considering the fact that the present conviction is a fixed sentence and there is no likelihood of the revision application being heard in near future and that, a *prima facie* case is made out in favour of the present applicant, and further, the learned Additional Public Prosecutor could not point out any compelling circumstances against suspension of sentence pending revision application, the sentence imposed upon the applicant herein *vide* judgment and orders impugned in this revision application, is suspended. The applicant be released on bail by executing a personal bond of **Rs.10,000/- (Rupees Ten Thousand)** with one surety of the like amount to the satisfaction of the trial Court concerned, on the conditions that applicant:

- (a) shall not take undue advantage of liberty or misuse liberty;
- (b) shall not leave India without prior permission of this Court;

- (c) shall furnish the present address of his residence with documentary evidence to the Court concerned at the time of execution of the bond;
- (d) shall proceed with the Criminal Revision Application as and when listed and shall not prolong the hearing of the same.

4. **Direct service** is permitted.

NITIN MAKWANA

(P. M. RAVAL, J)