

Rajeev Kumar @ Vicky Vs. State of H.P.

Cr. Appeal(C-SB). No. 36 of 2026

13.02.2026

Present: Mr. Lalit Kumar Sehgal, Advocate, for the petitioner.

Mr. L.N. Sharma, Additional Advocate General, for the respondent-State.

Cr. Appeal(C-SB) No. 36 of 2026

Notice. Mr. L.N. Sharma, learned Additional Advocate General, appears and accepts notice on behalf of the respondent-State.

2. Heard.

3. Admit.

4. Record of the learned Trial Court be requisitioned.

Cr.MP No.530 of 2026

5. Notice in the afore-said terms.

6. By way of present application, the applicant/appellant has prayed for suspension of substantive sentence imposed upon him by the learned Special Judge-II, Hamirpur, H.P. (hereinafter referred to as the 'trial Court'), in CIS Registration No.04 of 2022, titled as 'State of H.P. Vs. Rajeev Kumar.'.

7. The applicant/appellant was tried for commission of offence punishable under Section 21 of the NDPS Act. The learned trial Court vide judgment/order dated 07.02.2026/09.02.2026, had convicted and sentenced the applicant/appellant to undergo rigorous imprisonment for a period

of one year and to pay a fine of Rs.20,000/- for the commission of offence punishable under Section 21 of the NDPS Act and in default payment of fine it has been ordered that he shall further undergo simple imprisonment for three months.

8. Perusal of grounds of appeal reveals that the applicant/appellant has raised arguable points in the same and it will take some time for the final disposal. Therefore, in the attending facts and circumstances of the case during the pendency of the appeal, the operation, implementation and execution of the impugned judgment/order dated 07.02.2026/09.02.2026 passed by the learned Special Judge-II, Hamirpur, H.P., is ordered to be suspended, during the pendency of the appeal, subject to the following conditions:

(i) That the applicant/appellant shall furnish personal bond in the sum of Rs.50,000/-, along with one surety of the like amount, to the satisfaction of the learned trial Court, within a period of four weeks from today, with an undertaking that he will surrender before the learned trial Court to serve the remainder substantive sentence, in case of ultimate dismissal of the present appeal, by this Court;

(ii) That the applicant/appellant shall deposit the fine amount, with the learned trial Court, within a period of eight weeks from today, if not, already deposited by the applicant.

(iii) The applicant/appellant shall not leave the territory of India without the prior permission of the Court.

9. It is informed by the learned counsel for the applicant/appellant that the applicant/appellant is presently

lodged in Model Central Jail, Kanda, District Shimla. Therefore,
the release warrants be issued for the release of the applicant.

10. Application is, thus, disposed of.

12th February, 2026
(Kiran)

(Romesh Verma)
Vacation Judge