

SUMIT KUMAR @ RAVI Versus STATE OF HP

Cr.A.(C-SB)-142 of 2026

16.07.2026

Present: Mr. V.S. Chauhan, Senior Advocate, with Mr. Arsh Chauhan, Advocate, for the appellant.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General, with Mr. Ravi Chauhan and Mr. Anish Banshtu, Deputy Advocates General, for State.

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Since appeal stands admitted and parties are duly represented, let the case at hand be listed for hearing in due course.

Record, if not already received, be called for.

CRMP-2684 of 2026

By way of instant application filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, 2023, prayer has been made on behalf of the applicant/appellant for suspension of sentence and releasing him on bail during the pendency of the appeal.

Prayer made in the application has been opposed on behalf of the respondent-State by way of filing reply, wherein it has been stated that applicant/appellant is accused of heinous crime having adverse impact on the society and in the event of his being enlarged on bail, he may not only flee from justice, but may again indulge in such activities.

Having heard learned counsel for the parties and perused material available on record, this Court finds that FIR No.83 of 2017, dated 15.05.2017, was lodged against the

applicant/appellant on the precise allegation that 501 grams of charas was recovered from his conscious possession. Learned trial Court subsequently on the basis of evidence adduced on record by the prosecution, vide judgment dated 03.03.2026 convicted and sentenced him to undergo rigorous imprisonment of five years and pay fine of ₹50,000/-for his having committed the offence punishable under Section 20 of the ND&PS Act.

Having perused the grounds taken in the appeal vis-à-vis impugned judgment, there appears to be merit in the contention of learned counsel for the applicant/appellant that there are arguable points involved in the appeal, but since considerable time is likely to be consumed in the conclusion of the appeal, prayer made on behalf of the applicant/appellant for suspension of sentence during the pendency of the appeal deserves to be allowed, especially when it is not in dispute that during the pendency of the trial, applicant/appellant was on bail and during such period, no adverse report was ever received against him.

In these circumstances, the substantive sentence imposed by learned Special Judge-cum-Principal Judge, Family Court, Kangra at Dharamshala, District Kangra, Himachal Pradesh in case CIS No.190 of 2018 (CNR No.HPKA01-006339-2018) titled as State of Himachal Pradesh vs. Sumit Kumar and Another, is suspended during the pendency of the appeal and the appellant is ordered to be released on bail subject to his furnishing personal bond in

the sum of ₹50,000/- (Rupees Fifty Thousand only) with one surety of the like amount to the satisfaction of the trial Court within a period of four weeks with the conditions that the appellant shall appear in the Court as and when directed and shall surrender to serve out the sentence imposed in case his appeal is ultimately dismissed. This order is further subject to the appellant depositing the entire amount of fine, if not already deposited, within a period of four weeks before the trial Court.

The application stands disposed of.

July 16, 2026
(Rajeev Raturi)

(Sandeep Sharma),
Judge