

Anit Kumar & ors. Vs. State of H.P.

Cr.Revision No. 495 of 2025

30.8.2025

Present: Mr. Jia Lal Thakur, Advocate vice Mr. Amit Sharma, Advocate, for the petitioners.

Ms. Ranjna Patial, Dy. A.G., for the respondent/State.

Considering the fact that petitioners are having permanent abode in District Kangra, H.P., as such, before proceeding further, report of Probation Officer be called, for the next date of hearing. List on 7.10.2025.

Cr.M.P. Nos. 3804, 3805, 3806 and 3808 of 2025

By way of the present applications, filed under Section 438 (1) read with Section 442 of Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as 'the BNSS'), the petitioners/applicants have sought the suspension of order of sentence, dated 31.7.2017, passed by the learned Judicial Magistrate 1st Class, Baijnath, District Kangra, H.P. (hereinafter referred to as 'the trial Court'), in Cr. Case No. 8-II/II (FIR No. 61/10), titled as, 'State of H.P. versus Anit Kumar and others' whereby the learned trial Court, vide judgment of conviction, and order of sentence dated 31.7.2017, has convicted the applicants, for the commission of offence, punishable

under Sections 341,323, 324 and 506 of IPC and sentenced them, in the following manner:

Sr. No.	Sections	Sentence imposed	Default
1	341 IPC	One month simple imprisonment and to pay fine of Rs. 500/-	Seven days simple imprisonment
2	323 IPC	Two months simple imprisonment and to pay fine of Rs. 1000/-	Fifteen days simple imprisonment
3	324 IPC	One year rigorous imprisonment and to pay fine of Rs. 7000/-	One month simple imprisonment
4	506 IPC	Six months simple imprisonment and to pay fine of Rs. 1000/-	Fifteen days simple imprisonment

The said judgment of conviction and order of sentence have been affirmed by the learned Additional Sessions Judge, Palampur, District Kangra, H.P. (hereinafter referred to as ‘the Appellate Court’), vide judgment dated 30.7.2025 in Cr. Appeal No. 133-P/X/2023/17, titled as, ‘Anit Kumar and others vs. State of H.P.’.

Since the revision against the judgment of conviction and order of sentence, as referred to above, will take sufficient long time, for its disposal, as such, the order of sentence dated 31.7.2017, is

suspended during the pendency of the revision,
subject to the following conditions:

(i) That the applicants shall furnish personal bond in the sum of Rs. 50,000/-, alongwith 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 in the event of final dismissal of the revision petition, he will surrender before the learned trial Court to serve the remainder substantive sentence;

(ii) That the applicants shall deposit the fine amount, if any, within a period of four weeks, before the learned trial Court.

(iii) That the applicants shall not leave the country without the prior permission of the Court.

The application is, thus, disposed of.

A copy of this order be sent to the learned trial Court, with the direction that the report of compliance of this order be submitted to this Court, on or before the next date of hearing.

(Virender Singh)
Judge

August 30, 2025
(kalpana)