

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc Interim Suspension Of Sentence Application
(Appeal) No. 292/2026

Devilal S/o Dungar Ram, Aged About 33 Years, R/o Heera Ki
Dhani, P.s. Gida, District Barmer, Rajasthan. (At Present Lodged
At Central Jail Jodhpur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. KR Bhati
For Respondent(s)	:	Mr. Surendra Bishnoi, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

13/02/2026

1. The instant application under Section 430 of BNSS seeking temporary suspension of sentence has been preferred on behalf of the appellant-applicant in the matter of judgment dated 16.11.2022 passed by the learned Special Judge, POCSO Act Cases, Balotra in Sessions Case No.115/2018 for the offences under Sections 376(f)(i)(n) of IPC, 3/4, 5(l)(n)/6 & 13/14 of POCSO Act, 506 of IPC, Section 67, 67-A of IT Act.
2. Learned counsel for the appellant-applicant submits that the marriage of niece of the applicant is going to be solemnized on 21.02.2026. The parents of his niece are old and there is no other competent family member who can arrange the marriage functions with Mayra Bhaat, therefore, for the arrangement of all the marriage functions and customs as Mayra Bhaat, the presence

of the applicant is necessary. Thus, it is prayed that the appellant may be released on bail by temporarily suspending his sentence.

3. Learned Special Public Prosecutor has opposed the prayer for temporary bail.

4. I have heard the learned counsel for the appellant-applicant and the learned Public Prosecutor and gone through the material available on record.

5. Considering the submissions advanced by the learned counsel for the appellant-applicant and taking a humanitarian view of the matter, this court is inclined to grant temporary bail of 20 days to the appellant-applicant.

4. Accordingly, the instant application for temporary suspension of sentence is allowed. The sentence awarded to appellant-applicant Devilal S/o Dungar Ram by the learned Special Judge, POCSO Act Cases, Balotra in Sessions Case No.115/2018 vide judgment dated 16.11.2022 shall remain suspended for a period of 20 days upon his furnishing a personal bond in the sum of Rs.50,000/- and two sound and solvent sureties of Rs.25,000/- each to the satisfaction of the trial court. The appellant-applicant shall surrender before the concerned authority of the Central Jail, Udaipur in the morning of the next day of completion of the period of temporary bail.

(FARJAND ALI),J