



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

2026:RJ-JD:7579-DB

D.B. Criminal Misc Suspension Of Sentence Application (Appeal)
No. 283/2026

Ashok S/o Bharmal, Aged About 30 Years, R/o Rotu, Police
Station Jayal, Dist. Nagaur. (At Present Lodged At Central Jail,
Ajmer)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Dilip Kumar Sharma
For Respondent(s)	:	Mr. Deepak Choudhary, AAG with Mr. K.S. Kumpawat

**HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT**

Order (Oral)

11/02/2026

Per: Arun Monga, J.

1. The instant application for temporary suspension of sentence u/s 430 of BNSS has been filed by the appellant-applicant on the ground that the applicant-appellant is a student of Class 12th and his exams are scheduled from 13.02.2026 to 10.03.2026.

2. The appellant-applicant has *inter alia* been sentenced to life imprisonment vide order dated 26.07.2024 by learned Additional Sessions Judge, Jayal, Nagaur for offence u/s 302/34 of IPC. Appeal against the conviction is pending before this Court bearing D.B. Criminal Appeal No.228/2024.



3. Learned counsel for the appellant-applicant submits that the appellant is a bona fide student of Class 12th (Senior Secondary) at Seth Kishan Lal Kankariya Government School, Nagaur, and his board examinations are scheduled from 13.02.2026 to 10.03.2026. If he is not permitted to appear, he will lose an entire academic year, causing irreparable harm to his education and future prospects. During the trial, the appellant was on bail and never misused the liberty granted to him and in these circumstances the appellant-applicant may be granted temporary bail for the above said period.

4. It transpires that after issuing of notices by this Court, the SHO of the concerned Police Station had sent a query to the Principal of the concerned School to verify the claim of the petitioner as to whether he is a private student of class and whether he has filled up form for Senior Secondary Examination which is slated to be held as per the date sheet as below:-

Subject	Date	Time
002 ENGLISH (COMP)	13.02.2026	08:30-11:45 AM
001 HINDI (COMP.)	20.02.2026	08:30-11:45 AM
011 POL SCIENCE	23.02.2026	08:30-11:45 AM
013 HISTORY	04.03.2026	08:30-11:45 AM
021 HINDI.SAH.	10.03.2026	08:30-11:45 AM

5. Apropos, learned Public Prosecutor submits that the factum of the exams of applicant-appellant has been verified through the concerned S.H.O. who has submitted a report dated 10.02.2026 (which is taken on record) to the effect that the Principal has



confirmed that the applicant-appellant is indeed a private student and he has filled up for the aforesaid examination.

6. In the premise, we are of the view that the applicant-appellant is entitled for interim bail commencing from 12.02.2026 till 12.03.2026.

7. Accordingly, the application for temporary suspension of sentence filed under Section 430 of B.N.S.S. is allowed. It is ordered that the sentences passed by the learned Additional Sessions Judge, Jayal, Nagaur vide judgment dated 26.07.2024 in Sessions Case No.22/2023 (19/15)(34/15)(170/15) against the appellant-applicant – Ashok S/o Bharmal, shall remain temporarily suspended and he shall be released on temporary interim bail from 12.02.2026 to 12.03.2026, subject to the condition that he shall deposit a demand draft of Rs.2,50,000/- of a Nationalized Bank executed in favour of the trial court and also furnish a personal bond in a sum of Rs.2,00,000/- with two sound and solvent sureties in the sum of Rs.1,00,000/- (out of which one surety will be a close relative of the petitioner) each to the satisfaction of learned trial court. He shall surrender before the concerned Jail Superintendent on or before 05:00 PM of 12.03.2026 i.e. on the expiry of the interim bail period. It is made clear that if the appellant-applicant surrenders within the stipulated period then the demand draft of Rs.2,50,000/- will be returned to him. In case, the appellant-applicant fails to surrender before the concerned Jail after period of interim bail, the demand draft so deposited by the appellant-applicant shall stand forfeited



apart from other coercive steps to be taken in accordance with law
to ensure custody of the applicant.

8. Interim bail application stands disposed of as above.

(YOGENDRA KUMAR PUROHIT),J

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(ARUN MONGA),J