

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

S.B. Criminal Misc Suspension Of Sentence Application (Appeal)
No. 291/2026

Mahesh Kumar S/o Surajaram, Aged About 38 Years, Shyanan Village, Salasar Police Station, Sujangarh Tehsil, Churu District Rajasthan. (At Present Lodged At Sub Jail Ratangarh, Dist. Churu)

----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Shri Birbal Ram S/o Hanumana Ram, Aged About 45 Years, Resident Of Ward No. 41 Pragati Naga Sujangarh, Churu, Rajasthan.

----Respondents

Connected With

S.B. Criminal Appeal (SB) No. 317/2026

Mahesh Kumar S/o Surajaram, Aged About 38 Years, Shyanan Village, Salasar Police Station, Sujangarh Tehsil, Churu District Rajasthan. (At Present Lodged At Sub Jail Ratangarh, Dist. Churu)

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----Respondents

For Petitioner(s)	:	Mr. Hinglaj Dan Charan
For Respondent(s)	:	Mr. N.S. Chandawat, Public Prosecutor Mr. Surendra Bishnoi, Public Prosecutor

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

27/03/2026

**S.B. Criminal Misc Suspension Of Sentence Application
(Appeal) No. 291/2026**

1. Heard on the application for suspension of sentence.
2. The present application for suspension of sentence is preferred against the order of conviction and sentence dated 03.02.2026 in Sessions Case No.26/2015 passed by learned Additional Session Judge, Sujangarh, District Churu (Rajasthan).
3. Learned counsel appearing on behalf of the accused-applicant submits that total five accused were arrested pursuant to the charge sheet. Out of those, four were acquitted and only the accused-applicant was convicted of various offences. The maximum punishment imposed was five years, and he has already been in jail for nearly two months since conviction. It is also his submission that during the trial proceedings, the accused-applicant was on bail and continuously complied with the conditions of his bail; further, there is no possibility of the appeal being taken up early. Therefore, he prayed that the accused-applicant may be enlarged on bail.
4. Considering the aforesaid submissions and the fact that the accused-applicant was already on bail during trial proceedings and there is no violation of the conditions and also the fact that disposal of appeal will take its own time, therefore, application for suspension of sentence filed under Section 415(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 (Section 374(2) of Cr.P.C.) is

allowed and sentence of accused-applicant-**Mahesh Kumar S/o Surajaram** is suspended till disposal of appeal with the condition that he shall executes a personal bond for the sum of Rs.35,000/- with two sureties of Rs.15,000/- each to the satisfaction of the learned trial Judge for his appearance in this court on **29.04.2026** and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

- i. That he/she/they shall appear before the trial Court as fixed by the Trial Court on first appearance. The next appearance shall be fixed with time gap of one year till the appeal is decided.
- ii. That if the applicant(s) changes the place of residence, he/she/they shall inform in writing his/her/their changed address to the trial Court as well as to the counsel in the High Court.
- iii. Similarly, if the sureties change their address(s), they will give in writing their changed address to the trial Court.

S.B. Criminal Appeal (SB) No. 317/2026

1. Heard.
2. Admit. Issue notice to the respondents.
3. Learned Public Prosecutor appears and accepts notice on behalf of the respondent No.1-State.
4. Issue notice to the respondent No.2 only.

5. Post these matters on **29.04.2026**.
6. Meanwhile, call for the record.

(MUNNURI LAXMAN),J

232s-233s-PonamS/-