

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

S.B. Criminal Suspension of Sentence Application No.55/2026

in

S.B. Criminal Revision Petition No. 220/2026

Hanuman Ram S/o Shri Panna Ram, Aged About 63 Years,
Resident Of Laroli Kalla, P.s. Khunkhuna, District Deedwana
Kuchaman. (At Present Lodged In Sub Jail Deedwana)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Vishal Sharma
For Respondent(s)	:	Mr. NS Chandawat, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

11/02/2026

1. The instant application for suspension of sentence under Section 438 read with Section 442 of the BNSS, 2023 has been moved on behalf of the petitioner-applicant in the matter of judgment dated 06.02.2026 passed by the learned Addl. Session Judge, Deedwana in Criminal Appeal No.50/2019 in which judgment dated 15.04.2019 passed by learned Addl. Chief Judicial Magistrate, Deedwana in Criminal Original Case No.14/2013, whereby conviction was upheld and sentence is modified as under :-

Offence for which convicted	Sentence of imprisonment	Fine	Sentence in default of payemnt of fine
409 IPC	3 years' SI	Rs.5000/-	6 month's SI
420 IPC	3 years' SI	Rs.3000/-	3 month's SI
467 IPC	3 years' SI	Rs.5000/-	6 month's SI
468 IPC	1 year's SI	Rs.1000/-	1 months' SI
471 IPC	3 years' SI	Rs.5000/-	6 month's SI

2. Learned counsel for the petitioner submits that the learned trial court as well as the learned appellate court have committed an error of law in appreciating the evidence brought on record, and therefore, the material evidence would require re-appreciation. It is further submitted that the petitioner remained on bail throughout the trial as well as during the pendency of the appeal and that the hearing of the revision petition is likely to take a considerable time.

3. Heard learned counsel for the petitioner, learned Public Prosecutor, and perused the material available on record.

4. Upon consideration of the grounds raised in the memo of revision, and looking to the totality of the facts and circumstances of the case, and further considering that the hearing of the revision is likely to take further time, and without expressing any opinion on the merits of the case or the alleged defects in the prosecution case, as the same may adversely affect the final hearing of the revision, this Court is of the opinion that the present case is a fit one for suspension of the sentence awarded to the accused-petitioner.

5. Accordingly, the application for suspension of sentence filed under Section 438 read with Section 442 of the BNSS, 2023 is allowed and it is ordered that the sentence passed by the learned trial court and affirmed by the learned appellate court against the petitioner-applicant shall remain suspended till the final disposal of the aforesaid revision. The petitioner-applicant shall be released on bail upon his executing a personal bond in the sum of Rs.50,000/- along with two sureties of Rs.25,000/- each to the

satisfaction of the learned trial Judge and whenever ordered to do so till the disposal of the revision on the conditions indicated below:-

1. That he will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the applicant changes the place of residence, he will give in writing his changed address to the trial Court as well as to the counsel in the High Court.
3. Similarly, if the sureties change their address(s), they will give in writing their changed address to the trial Court.
7. The learned trial Court shall keep the record of attendance of the accused-applicant in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused-applicant was tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file shall not be taken into account for statistical purpose relating to pendency and disposal of cases in the trial court. In case the said accused applicant does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(FARJAND ALI),J