

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

S.B. Criminal Misc. Appli No. 147/2026

Lakhan Singh Alias Kalu S/o Madan Singh, Aged About 20 Years,
R/o Bahalelo Ka Badiya, Nandawat, Police Station Bheem, Dis-
trict Rajsamand (At Present In Central Jail Udaipur)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Ashok Kumar S/o Chetan Ram, R/o Sadak Ka Badiya,
Nandawat, Police Station Bheen, District Rajsamand.

-----Respondents

For Petitioner(s)	:	Mr. Pravin Vyas
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

24/02/2026

1. The present application has been filed seeking modification of the order dated 19.09.2025 passed in S.B. Criminal Misc. Suspension of Sentence Application No. 1403/2025, whereby the sentence of the appellant was suspended subject to furnishing a personal bond in the sum of Rs.1,00,000/- along with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Court.
2. The entitlement of the applicant to suspension of sentence already stands adjudicated. The limited issue which arises for con-

sideration is whether the condition requiring furnishing of two sureties warrants modification.

3. It is submitted that the applicant belongs to a poor background and has been unable to arrange sureties. It is further noticed that a substantial part of the sentence has already been undergone by him. The continued incarceration of the applicant is solely on account of his inability to furnish sureties.

4. Conditions imposed for release must be reasonable and capable of compliance. It is well settled that an individual ought not to be kept detained merely on account of penury. A condition which becomes impossible to comply with for want of financial means defeats the very purpose of granting suspension of sentence and renders the relief illusory in practice.

5. In the facts and circumstances of the case, this Court is of the view that the condition requiring furnishing of sureties deserves to be modified so that the benefit already granted does not remain ineffective.

6. Accordingly, the application is allowed. The order dated 19.09.2025 is modified to the extent that the appellant shall be released on furnishing a personal bond in the sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the learned trial Court. The requirement of furnishing sureties stands waived.

7. Since the date of appearance before this court after release on bail has already passed, the appellant is directed to appear before this court on 27.03.2026.

8. All other conditions contained in the order dated 19.09.2025 shall remain unaltered.

(FARJAND ALI),J

206-divya/-