

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

S.B. Criminal Revision Petition No. 293/2022

Dilip Singh Panwar S/o Shri Bhanwar Singh, Aged About 51 Years, R/o Daulat Singh Birano Ki Haveli, Mahavat Marg, Ganga Gali, Ganesh Ghati, District Udaipur, Rajasthan. (Presently Lodged At Jail, Udaipur)

----Petitioner

Versus

Gopal Singh Rathore S/o Shri Banne Singh, R/o Bhumbaliya, Tehsil Jetana, District Pali, Rajasthan, Presently R/o 28 Bajrang Marg, Jhada Ganesh Ji, Chand Pol, District Udaipur, Rajasthan.

----Respondent

For Petitioner(s) : Mr. Ram Singh Rawal
For Respondent(s) :

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI**Order****13/04/2022**

In wake of instant surge in COVID-19 cases and spread of its highly infectious Omicron variant, abundant caution is being maintained, while hearing the matters in Court, for the safety of all concerned.

Admit.

Call for the record.

Issue notice to respondent.

Heard learned counsel for the petitioner and learned public prosecutor **on application of suspension of sentence No.77/2022.**

Learned counsel for the petitioner submits that the petitioner is ready to pay the complete amount of Rs.25,000/-.

Upon a consideration of the arguments advanced on behalf of the petitioner and having regard to the facts and circumstances of the case, this Court is of the opinion that it is a fit case for suspending the sentence awarded to the accused-petitioner.

Accordingly, the application for **suspension of sentence No.77/2022** filed under Section 397(1) Cr.P.C. is allowed and it is ordered that the sentences passed by learned Special Judge, NI Act Cases No.1, Udaipur in Cr. Case No.3324/2009 vide order dated 11.05.2011 as affirmed by the learned Additional Sessions Judge No.1, Udaipur vide order dated 13.07.2016 in Cr. Appeal No.12/2011 against the petitioner-applicant **Dilip Singh Panwar S/o Shri Bhanwar Singh**, shall remain suspended, till final disposal of the aforesaid revision and he shall be released on bail, provided the petitioner deposits the complete amount of Rs.25,000/- before the learned trial Court which shall be disbursed to the respondent and also executes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for his appearance in this court on **10.05.2022** 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 revision is decided.
2. That if the petitioner 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, they will give in writing their changed address to the trial Court.

The learned trial Court shall keep the record of attendance of the accused-petitioner in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused-petitioner 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-petitioner does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(DR.PUSHPENDRA SINGH BHATI), J.

41-Sudheer/-

