

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

S.B. Criminal Misc Suspension of Sentence Application No.
529/2026

In

S.B. Criminal Appeal (Sb) No. 572/2026

Harish S/o Shri Dalpat @ Dalpu, Aged About 25 Years, R/o
Devaki PS Dovada District Dungarpur (At Present Lodged In
Central Jail, Udaipur)

----Appellant

Versus

State Of Rajasthan, Through PP

----Respondent

For Appellant(s)	:	Ms. Vishakha Pareek for Mr. Manoj Kumar Pareek
For Respondent(s)	:	Mr. N.S. Chandawat, PP

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

25/03/2026

1. Learned Public Prosecutor accepts notice on behalf of the respondent-State.
2. The present appeal is preferred by the accused-applicant aggrieved by the order of conviction and sentence dated 22.12.2025 passed in Session Case No. 61/2022 (CIS No. 61/2022) passed by learned Additional District & Session Judge, Sagwara, District Dungarpur.
3. Admit.
4. Call for record.
5. Heard on the application for suspension of sentence.
6. Learned counsel for the accused-applicant submits that the accused-applicant was convicted for the offences punishable under

Sections 323, 341, 394 and 327 IPC and sentenced to maximum punishment of three years. Both the sentences were ordered to run concurrently. It is her submission that the accused-applicant was on bail during trial and he has not violated any of the conditions of bail. After conviction, the petitioner was taken into custody and he is still in prison. She further submits that the injuries allegedly found on the victim were simple in nature and there is no deadly weapon used so as to cause any instant death to the victim so as to attract the provisions of Section 394 of IPC.

7. Learned public prosecutor opposes the application for suspension of sentence.

8. Considering the submissions made by learned counsel for the accused-applicant and considering the fact that there is no likelihood of hearing of the appeal in the near future, the request for suspension of sentence can be considered. Accordingly, the application for suspension of sentence under Section 389 of Cr.P.C. (Section 430 of BNSS) is allowed and sentence of appellant accused - **Harish S/o Shri Dalpat @ Dalpu** is suspended till disposal of the appeal with the condition that he shall execute a personal bond in the sum of Rs.25,000/- with two sureties of Rs.10,000/- each to the satisfaction of the concerned learned trial Judge for his appearance in this court on **01.05.2026** 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.

(MUNNURI LAXMAN),J