

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

S.B. Criminal Misc. Application (SoS) No.105/2026

IN

S.B. Criminal Revision Petition No. 421/2026

Kalu S/o Chuna Jat, Aged About 69 Years, R/o Uchnar Kalan, P.S. Kapasan, District Chittorgarh. (Present In Lodged In Dist. Jail, Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Abhishek Charan
For Respondent(s)	:	Mr. Sriram Choudhary, Public Prosecutor

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

28/03/2026

1. Heard.
2. Admit.
3. Issue notice to the respondents.
4. Learned Public Prosecutor accepts notice on behalf of the respondent-State.
5. The present appeal is preferred against the Judgment and Order dated 26.02.2026 passed in Criminal Appeal No.10/2023 (Old No.85/2017) by the learned Additional Sessions Judge, Kapasan, District Chittorgarh. By the said judgment, the order of conviction and sentence dated 28.03.2017, passed by the learned Additional Chief Judicial Magistrate, Kapasan, District Chittorgarh in Regular Criminal Case No. 125/2004, has been confirmed.

6. Call for record.

7. Heard on the application for suspension of sentence.

8. Learned counsel appearing on behalf of the accused-applicant submits that the allegations leading to the institution of the present proceedings show that the accused-applicant is an agriculturist who held an insurance policy covering his bullocks. Upon the death of the bullocks, he obtained a proper certificate from a Veterinary Doctor. The claim procedure required the application to be forwarded through the Sarpanch; however, it appears that the signature of the Sarpanch was forged on the said application. Based on the said claim, an amount of Rs.4,000 was paid. It is further submitted that during the trial proceedings, the accused-applicant was on bail and continuously complied with all bail conditions. Further, as there is no possibility of the appeal being taken up for hearing in the near future, therefore, learned counsel prays that the accused-applicant may be enlarged on bail.

9. *Prima facie*, considering the aforesaid facts and the fact that disposal of appeal will take its own time, therefore, application for suspension of sentence filed under Section 438/442 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (Section 397/401 of Cr.P.C.) is **allowed** and sentence of accused-applicant-**Kalu S/o Chuna Jat** is suspended till disposal of appeal with the condition that he shall executes a personal bond for the sum of Rs.10,000/- with one surety of Rs.5,000/- 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.

(MUNNURI LAXMAN),J