

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

S.B. Criminal Revision Petition No. 328/2025

Mangilal S/o Bhera, Aged About 42 Years, R/o Nathuwas,
Nathdwara, Teh. Nathdwara, Dist. Rajsamand. (Lodged In
Central Jail, Udaipur)

-----Petitioner

Versus

Kamlashankar S/o Prakash Narayan, R/o Nathuwas Chouraha,
Nathdwara, Teh. Nathdwara, Dist. Rajsamand.

-----Respondent

For Petitioner(s) : Mr. JVS Deora

For Respondent(s) :

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

12/03/2025

Heard.

Admit. Issue notice to the sole respondent, returnable by within
eight weeks.

Heard learned counsel for the petitioner on application for
suspension of sentence No.87/2025.

Call for record.

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 substantive sentence awarded to the accused
petitioner.

Accordingly, the application for suspension of sentence filed
under Section 438(1) of B.N.S.S. (Section 397(1) Cr.P.C.) is allowed
and it is ordered that the substantive sentences passed by the

learned Additoinal Chief Judicial Magistrate, Nathdwara, in Original Criminal Case No.176/2011 vide order dated 19.04.2021 as affirmed by the learned Additional Sessions Judge, Nathdwara, vide order dated 12.02.2025 in Cr. Appeal No.02/2021 against the petitioner-applicant- Mangilal S/o Bhera shall remain suspended, till final disposal of the aforesaid revision and he shall be released on bail, subject to deposit 50% of the cheque amount before the trial Court which shall be disbursed immediately to the respondent-complainant (if any amount already deposited that shall be adjusted with the cheque amount) provided he executes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each of to the satisfaction of the learned trial Judge for his appearance in this court on 21.04.2025 and whenever ordered to do so till the disposal of the appeal 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.
4. Petitioner shall deposit 50% of the cheque amount before the trial Court which shall be disbursed immediately to the respondent-complainant.

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.

(MANOJ KUMAR GARG),J

198-GKaviya/-