

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

S.B. Criminal Appeal (Sb) No. 583/2026

Bhupendra S/o Sh. Kanji, Aged About 33 Years, Village Depur
Police Station Kalyanpur District Udaipur (Lodged In Dist. Jail,
Dungarpur)

-----Appellant

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

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

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

27/03/2026

1. Admit. Issue notice to the respondents.
2. The learned Public Prosecutor appears and accepts notice on behalf of the respondent-State.
3. Call for record.
4. The present appeal has been preferred aggrieved against order of conviction and sentence dated 13.03.2026 passed by the learned Judge, Protection of Children from Sexual Offence Act, 2012 & Commission for Protection of Child Rights Act, 2005, Dungarpur in Sessions Case No. 48/2025 titled as "State of Rajasthan Vs. Anil & Anr."
5. Heard on the application for suspension of sentence.
6. The learned counsel appearing on behalf of the accused-applicant submits that the accused-applicant was convicted for the offence punishable under Section 137(2) of BNS, 2023 and

sentenced for three years of rigorous imprisonment along with a fine of Rs. 10,000/-. The Trial Court has already suspended the sentence of the accused-applicant and allowed him to prefer an appeal against the order of conviction and sentence. It is also his submission that during the trial proceedings, the accused-applicant was on bail. The punishment is minor in nature, and the accused-applicant continuously complied with the conditions of bail while he was on bail; further, there is no possibility of the appeal being taken up for early hearing. Therefore, he prayed that the accused-applicant may be enlarged on bail by suspending the sentence awarded to him.

7. Considering the grounds raised in the appeal and the fact that disposal of appeal will take its own time, therefore, application for suspension of sentence under Section 415 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is **allowed** and the sentence of accused-applicant – **Bhupendra S/o Shri Kanji** 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 learned trial Judge for his appearance in this Court on **28.04.2026** 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

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