

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

S.B. Criminal Miscellaneous (Petition) No. 3259/2026

Anurag Salt Industries, Rajas Tehsil Nawa Through Proprietor
Be Anurag Sharma, At Present Resident Of Rajas Tehsil
Nawadidwanak-Kuchaman.

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Krishna Salt, Aau Through Proprietor Mohan Lal Burdaks/
o Kamad Ram, Resident Of Ajeetpura, Tehsil Nawadistrict
Didwana-Kuchaman.

----Respondents

For Petitioner(s)	:	Mr. Ravindra Kumar Acharya
For Respondent(s)	:	Mr. Vikram Singh Rajpurohit, PP Mr. Deependra Singh Shekhawat for respondent No.2

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

05/05/2026

1. The present criminal miscellaneous petition has been filed under Section 528 of the BNSS, 2023, against the order dated 08.04.2026 passed by the learned Additional Sessions Judge, Kuchaman City, District Didwana-Kuchaman in Criminal Appeal No. 21/2026, whereby the application under Section 430 of the BNSS, 2023 was allowed with a direction to the petitioner to deposit 20% of the compensation amount as a condition precedent for grant of suspension of sentence.

2. Learned counsel for the petitioner submits that by impugned order dated 08.04.2026 though sentence awarded by the trial

court was suspended, however, the suspension of sentence has been made conditional. He further submits that in the impugned order, it has been mandated that sentence would remain suspended subject to the condition that petitioner deposits 20% of the compensation amount which he is supposed to pay in terms of the order dated 13.03.2026.

3. Learned counsel while relying on the order dated 09.03.2026 passed by a Coordinate Bench of this Court at Jaipur Bench, in S.B. Criminal Miscellaneous (Petition) No. 1415/2026 (Umashankar Shukla Vs. Kapil Jindal), submits that the application seeking suspension of sentence cannot be mandated with such condition as of such condition of deposit of 20% of amount is based on some different provisions and, therefore, it cannot be made conditional while considering application seeking suspension of sentence.

3.1. It is further submitted by the learned counsel for the petitioner that the petitioner is in financially poor condition and an application to this effect was also submitted, however, despite this, such onerous condition has been imposed.

4. In view of the submissions made above, issue notice of the petition so also of stay application to the respondents.

5. Notices need not be issued as the parties are represented by their respective counsels.

6. Service is, thus, complete.

7. Meanwhile, effect and operation of the impugned order dated 08.04.2026 passed by the learned Additional Sessions Judge, Kuchaman City, District Didwana-Kuchaman, in Criminal Appeal



[CRLMP-3259/2026]

No. 21/2026, to the extent of imposing the condition of deposition of 20% of compensation amount, shall remain stayed.

(SUNIL BENIWAL),J

21-ajayS/-