

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

S.B. Criminal Appeal No. 1008/2022

Jamna Lal S/o Banshi Lal Sharma, Aged About 36 Years, R/o A-215, Kashipuri, Police Station City Kotwali, Bhilwara. (At Present Lodged At District Jail, Bhilwara)

-----Appellant

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Appellant(s) : Mr. NK Gurjar

For Respondent(s) : Mr. Abishek Purohit, AGA

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

28/07/2022

Admit.

Issue notice. Learned Public Prosecutor accepts notice on behalf of respondent-State. Hence, notice need not be issued.

Heard learned counsel for the parties on **S.B. Suspension of Sentence (Appeal) No.573/2022.**

Learned Public Prosecutor opposes the suspension of sentence application.

Having considered the totality of facts and circumstances of the case, this Court deems it just and proper to suspend the substantive sentence awarded to the accused applicant-appellant.

Accordingly, **S.B. Suspension of Sentence (Appeal) No. 573/2022** filed under Section 374 Cr.P.C. is allowed and it is ordered that the substantive sentence passed by the trial court vide judgment dated 06.06.2022 in Session Case No.202/2020 against appellant - **Jamna Lal S/o Banshi Lal Sharma** shall remain suspended till final disposal of the aforesaid appeal,

provided he executes a personal bond in a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance in this Court on **30.08.2022** 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 appellant changes the place of residence, they 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, they will give in writing their changed address to the trial Court.

The learned trial Court shall keep the record of attendance of the accused-appellant in a separate file. Such file be registered as Criminal misc. Case related to original case in which the accused-appellant 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 appellant do not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(DR.PUSHPENDRA SINGH BHATI), J.