

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

S.B. Criminal Appeal (Sb) No. 858/2026

Sonuram Alias Sohanram S/o Gopalram, Aged About 25 Years,
R/o Singarwat Khurd, P.s. Khunkhuna, District Deedwana
Kuchaman, Rajasthan. (At Present Lodged In Central Jail,
Ajmer).

----Appellant

Versus

State Of Rajasthan, Through Pp

----Respondent

For Appellant(s)	:	Mr. R.S. Choudhary
For Respondent(s)	:	Mr. Narendra Singh, PP Mr. Firoz Khan for complainant

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

01/07/2026

S.B. Criminal Appeal (Sb) No. 858/2026;-

Admit.

S.B. Criminal Misc. Application for Suspension of Sentence

No.809/2026:-

Heard learned counsel for the applicant-appellant, learned
Public Prosecutor, and learned counsel for the complainant on
the application for suspension of sentence.

Upon consideration of the submissions advanced on behalf of
the parties and upon perusal of the record received from the trial
Court, this Court finds that the applicant-appellant has been
convicted for the offences punishable under Sections 384 and
306 of the IPC. The post-mortem report of the deceased
indicates that she was brought dead to the hospital and that the

cause of death, as informed by the police, was recorded as COVID-19. The post-mortem report further notes that the deceased had tested positive for COVID-19.

In the opinion of this Court, since the deceased was brought dead to the hospital and the cause of death was shown to be COVID-19, prima facie, the learned trial Court appears to have failed to appreciate that the essential ingredients of the offence under Section 306 IPC, particularly the element of instigation or intentional aid leading the deceased to commit suicide, do not appear to be borne out from the material available on record. This Court further finds that the applicant-appellant has no criminal antecedents and the learned Public Prosecutor has not expressed any apprehension of the applicant-appellant absconding or fleeing from justice in the event the present application for suspension of sentence is allowed.

Accordingly, the application for suspension of sentence filed under Section 430 BNSS is allowed and it is ordered that the sentence passed by the learned Sessions Judge, Didwana, District Didwana- Kuchaman in Case No.20/2020 against the applicant- appellant, shall remain suspended till final disposal of the aforesaid appeal and he shall be released on bail, provided he executes a personal bond in the 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 05.08.2026 and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

1. That he/she/they will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the applicant(s) changes the place of residence, he/she/they will give in writing his/her/their 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.

The learned trial Court shall keep the record of attendance of the accused- applicant(s) in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused-applicant(s) was/were 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(s) does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(KULDEEP MATHUR),J