

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

D.B. Criminal Misc. Suspension Of Sentence Application (Appeal)
No. 959/2026
CNR: RJHC010495732026
URN: SOSA / 2086U / 2026

Lokesh Saran S/o Sh. Ram Dayal Singh, Aged About 40 Years,
R/o Kagal, Pipar City, Presently Residing At 24, Saran Nagar, C
Road, Police Station Banar, Jodhpur Raj.
(Presently Lodged In Central Jail, Jodhpur)

----Petitioner

Versus

State Of Rajasthan, PP

----Respondent

For Petitioner(s)	:	Mr. Chakravarti Singh Rathore Mr. Bajrang Singh.
For Respondent(s)	:	Mr. Rajesh Bhati, PP.

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA**

Order

06/07/2026

1. The present application has been filed by the applicant under Section 430 of BNSS, 2023 seeking suspension of sentence awarded to him by the learned Additional Sessions Judge No.4, Jodhpur Metropolitan, Jodhpur (hereinafter referred to as 'trial Court') vide judgment dated 04.04.2026 passed in Session Case No.10/2016 (NCV No.132/2016), whereby following sentences have been awarded against the accused-applicant.

S.No	Offence	Sentence	Fine
1.	364-A IPC	Imprisonment for Life	To pay a fine of Rs.15,000/-; in default thereof to further undergo one month's Simple Imprisonment

2.	365 IPC	3 Years' Rigorous Imprisonment	To pay a fine of Rs.10,000/-; in default thereof to further undergo one month's Simple Imprisonment
3.	120 B IPC	3 Years' Rigorous Imprisonment	To pay a fine of Rs.10,000/-; in default thereof to further undergo one month's Simple Imprisonment

2. Learned counsel for the applicant-appellant submits that the applications of the co-convicts namely Raju Singh alias Rajendra Singh and Ridmal Singh seeking suspension of sentence have been allowed by the Coordinate Benches of this Court vide orders dated 12.06.2026 and 25.06.2026 respectively and the case of the present applicant-appellant stands on a better footing than the case of the co-convicts Raju Singh alias Rajendra Singh and Ridmal Singh. He further submits that the case of the present applicant-appellant is not distinguishable from the case of the co-convicts Raju Singh alias Rajendra Singh and Ridmal Singh. He, therefore, prays that the sentence in the case of present applicant-appellant may also be suspended during pendency of the present appeal.

3. *Per contra*, learned Public Prosecutor opposed the present application seeking suspension of sentence, but he is unable to distinguish the case of the present applicant vis-a-vis the case of the co-convict persons whose sentences have already been suspended.

4. We have considered the submissions made at the Bar and have gone through the relevant record of the case.

5. In the considered opinion of this Court, without commenting on the merit and demerit of the case and looking to the fact that

the applications seeking suspension of sentence of the co-convicts have already been allowed, we deem it appropriate to suspend the sentence of the present applicant-appellant also.

6. Accordingly, the application seeking suspension of sentence filed by the applicant-appellant is hereby allowed. It is ordered that the sentence passed by the learned Additional Sessions Judge No.4, Jodhpur Metropolitan, Jodhpur vide judgment dated 04.04.2026 in Session Case No.10/2016 (NCV No.132/2016) against the applicant – **Lokesh Saran S/o Sh. Ram Dayal Singh** 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.1,00,000/- each with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for his appearance in this Court on **12.08.2026** and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

- (i) That he will appear before the trial Court in the month of January of every year till the appeal is decided.
- (ii) 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.
- (iii) Similarly, if the sureties change their address, they will give in writing their changed address to the trial Court.

7. 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.

8. Needless to state that the observations made hereinabove in relation to guilt or otherwise of the applicant is prima-facie opinion considering the material to the extent necessary for the purpose of consideration of instant application. None of the parties shall rely upon the findings or observations made herein at the time of arguing final hearing of the appeal.

(CHANDRA SHEKHAR SHARMA),J

(VINIT KUMAR MATHUR),J