

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

S.B. Criminal Miscellaneous (Petition) No. 4629/2026

CNR: RJHC010536012026

URN: CRLMP / 8394U / 2026

Rajkumar S/o Sukhdev Chandra, Aged About 45 Years, Resident
Of Bishnoiyo Ka Bas Ward No. 17, Rawatsar, teh. Rawatsar
District Hanumangarh

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Hanumangarh Sahkari Bhumi Vikas Bank Limited,
Counter Rawatsar, Through Manager Jabbar Singh,
Dist.hanumangarh.

----Respondents

For Petitioner(s) : Mr. Sanjeev Beniwal

For Respondent(s) : Mr. Sameer Pareek, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

08/07/2026

Learned counsel for the petitioner has challenged the order dated 26.02.2026 passed by Additional Sessions Judge, Rawatsar, whereby the order and Judgment of conviction dated 29.01.2026 passed by learned Judicial Magistrate, Rawatsar in Criminal Appeal No.11/2026 to the extent of condition of 20% interim compensation for suspending the sentence of the petitioner in appeal.

Learned counsel for the petitioner has relied upon the judgment passed by the Coordinate Bench of this Court in **S.B. CRLMP No. 9802/2025**, dated **28.04.2026**, and has submitted that this Court has already held, in light of the judgment of

Jamboo Bhandari v. M.P. State Industrial Development Corporation Ltd. & Ors., reported in ***(2023) 10 SCC 446***, that such a condition is not justified, particularly when it has been imposed without assigning any reasons.

The matter requires consideration.

Issue notice.

Learned Public Prosecutor accept notice on behalf of respondent-State.

Let notice be issued to respondent No.2, returnable within three weeks.

List this case on 04.08.2026.

In view of the same, the order dated 26.02.2026 passed by Additional Sessions Judge, Rawatsar in Criminal Appeal No.11/2026 shall remain stayed to the extent of ordering the petitioner to deposit 20% of the fine as a condition precedent for suspension of sentence.

In the meanwhile, learned trial Court is free to proceed with the matter.

(BALJINDER SINGH SANDHU),J