

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

S.B. Criminal Revision Petition No. 911/2026

CNR: RJHC010579942026

URN: CRLR / 2039U / 2026

Kamlesh Bharti S/o Mool Bharti Goswami, Aged About 50 Years,
Resident Of Rajnagar, B.r. Birla School, Chopasni Housing Board,
Jodhpur, Rajasthan. (Presently Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Ashok Anand S/o Kotumal Sindhi, Resident Of Kaviraj Ji
Ka Bada, Inside Sojati Gate, Jodhpur, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. N.K. Gurjar
Mr. Bharat Gurjar

For Respondent(s) : Mr. Shriram Choudhary, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

08/07/2026

S.B. Criminal Revision Petition No. 911/2026:

Issue notice.

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

No.203/2026:

Heard learned counsel for the applicant - petitioner and
learned Public Prosecutor on application for suspension of
sentences.

I have heard and considered the submissions advance by
learned counsel representing the parties and perused the

judgments passed by the courts below. Looking to the facts and circumstances of the case, I consider it just and proper to suspend the sentences awarded to the accused petitioner- applicant.

Accordingly, the application for suspension of sentence filed under Section 397/401 Cr.P.C. (438/442 BNSS) is allowed and it is ordered that the sentence awarded by Special Judicial Magistrate (N.I. Act Cases) No.9, Jodhpur Metropolitan vide judgment dated 05.12.2024 as affirmed by the learned Additional District and Sessions Judge No.3, Jodhpur Metropolitan vide judgment dated 09.06.2026 in Criminal Appeal No.58/2025 against the petitioner-applicant **Kamlesh Bharti S/o Mool Bharti Goswami**, shall remain suspended till final disposal of the aforesaid revision petition and he shall be released on bail, **provided he deposits a sum of Rs.1,00,000/- with the learned trial Court by way of a Demand Draft within a period of fifteen days from the date of this order** and furnishes 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 **10.08.2026** and whenever ordered to do so, till the disposal of the revision 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 revision/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.

It is made clear that upon petitioner depositing the aforesaid amount of Rs.1,00,000/- with the learned trial Court within stipulated period, the same shall be released in favour of the respondent No.2- Ashok Anand S/o Kotumal Sindhi on an appropriate application being made by him in that regard.

(KULDEEP MATHUR),J