

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

S.B. Criminal Miscellaneous (Petition) No. 5153/2026

CNR: RJHC010594602026

URN: CRLMP / 9252U / 2026

Shanti Lal S/o Heera Lal, Aged About 60 Years, Resident Of
Navdra Tahsil Semary District Udaipur Rajasthan

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Chandra Prakash S/o Tekchand, R/o Richh Mangari Dhol
Ki Pati Dakan Kotara Tehsil Girwa District Udaipur

----Respondents

For Petitioner(s) : Mr. Prateek Surana

For Respondent(s) : Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

14/07/2026

Learned counsel for the petitioner has challenged the order dated 09.04.2026 passed by learned Additional District and Sessions Judge No.2, Udaipur, in criminal appeal no.223/2026, wherein the learned court directed the appellant to deposit 20% of the compensation amount 4,10,000/- in the court of trial court for hearing of the 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 required consideration.

Issue notice to the sole respondent, returnable within three weeks.

List this case on 04.08.2026.

In view of the same, the order dated 09.04.2026 passed by learned Additional District and Sessions Judge No.2, Udaipur, in criminal appeal no.223/2026, 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