

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

S.B. Criminal Misc.(Suspension of Sentence) App. No.2330/2025

In

S.B. Criminal Appeal (SB) No. 2756/2025

Jaskaran Singh S/o Gurdev Singh, Aged About 64 Years,
Lundevala, P.s. Kot Bhai, District Amritsar, Punjab. (At Present
Lodged In Sub-Jail Nohar, District Hanumangarh)

-----Appellant

Versus

State Of Rajasthan, State Of Rajasthan Through Pp

-----Respondent

For Appellant(s)	:	Mr. Vinod Kumar Sihag
For Respondent(s)	:	Mr. Shriram Choudhary, PP

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

08/12/2025

1. Heard.
2. Admit. Call for the record.
3. Heard learned counsel for the applicant/appellant and learned Public Prosecutor on the application for suspension of sentence. Perused the material available on record.
4. The applicant/appellant herein has been convicted and sentenced vide judgment dated 04.12.2025 passed by the learned Special Judge N.D.P.S. Cases (Additional Sessions Judge), Rawatsar, District Hanumangarh in Session Case No.16/2025 for the offence under Section 8/15(b) of NDPS Act, 1985 and sentenced to 2 (Two) Years' rigorous imprisonment along with a fine of Rs.10,000/-, and an additional three months' simple imprisonment in case of default in payment of fine.

5. Learned counsel for the applicant/appellant submits that the learned trial court has erred in convicting and sentencing the applicant/appellant and has not appreciated the evidence in the right and correct perspective. He further submits that the appellant was on bail during the trial and did not misuse the said liberty. Accordingly, he prays that the sentence so imposed on the applicant/appellant may kindly be suspended.

6. Upon a consideration of the arguments advanced on behalf of the applicant/appellant and having regard to the facts and circumstances as available on the record. Furthermore, keeping in view the fact that: (i) In the present appeal, the involvement of the appellant and credibility of the evidence led by the prosecution are to be tested; (ii) the applicant/appellant was granted bail during pendency of the trial (iii) the present appeal pertains to the year 2025; (iv) there are old appeals pending before this Court; and (v) there are bleak chances of the present appeal being heard and decided in the near future. This court is of the considered opinion that the present matter is a fit case for suspending the sentence awarded to the applicant/appellant during pendency of the instant appeal.

7. Accordingly, the present application for suspension of sentence filed under Section 430 of Bhartiya Nagrik Suraksha Sanhita, 2023 (BNSS) is allowed and it is ordered that the sentences passed by the learned Special Judge N.D.P.S. Cases (Additional Sessions Judge), Rawatsar, District Hanumangarh in Session Case No.16/2025, vide judgment dated 04.12.2025 against the applicant/appellant **Jaskaran Singh S/o Gurdev Singh**, shall remain suspended till final disposal of the aforesaid

appeal and he shall be released on bail, provided he executes a personal bond to the tune of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the satisfaction of the learned trial Judge for his appearance in this court on 12.01.2026 and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

1. That the applicant/appellant will appear before the trial Court in the month of January of every year till the appeal is decided
 2. That if the applicant/appellant 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.
 3. Similarly, if the sureties change their address(s), they will give in writing their changed address to the trial Court.
8. The learned trial Court shall keep the record of attendance of the applicant/appellant in a separate file. Such file shall be registered as a 'Criminal Misc. Case' related to original case in which the applicant/appellant was tried and convicted. A copy of this order shall also be placed in that file for ready reference. The 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/appellant does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(MANEESH SHARMA),J