



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Misc. Suspension Of Sentence Application (Appeal)
No. 117/2026

In

S.B. Criminal Appeal No.2417/2024

Shahrukh Khan S/o Abdul Wahid, Aged About 25 Years, Resident
Of Nala Mohalla Jhalawar Ps Kotwali Jhalwar District Jhalawar
(Raj) (At Present Confined In District Jail, Jhalawar)

----Applicant

Versus

State Of Rajasthan, Thorugh P.p.

----Respondent

For Petitioner(s)	:	Mr. Rohit Khandelwal
For Respondent(s)	:	Mr. Jaiprakash Tiwari, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

22/04/2026

1. Heard learned counsel for the applicant and learned Public Prosecutor on the application for suspension of sentence and perused the material available on record.
2. Learned counsel appearing for the applicant submits that the judgment passed by the learned trial Court is based on erroneous appreciation of the evidence. He further submits that the learned trial Court has failed to appreciate the evidence in its proper perspective. It is also submitted that the maximum sentence awarded to the applicant is five years and the applicant has been in custody since 14.08.2024 thus, more than one year and ten months have already passed. Therefore, this application for



suspension of sentence may be allowed and appellant be released on bail.

3. The learned Public Prosecutor opposed the application for suspension of sentence.

4. The period of custody of the applicant is duly corroborated by the custody certificate placed on record.

5. Taking into consideration all the facts and circumstances of the case and in backdrop of arguments advanced by learned counsel for the applicant especially the fact of period of custody of applicant and disposal of the appeal is likely to take considerable time but without expressing any opinion on merits of the case, I am inclined to suspend the sentence of the appellant Shahrukh Khan S/o Abdul Wahid awarded by Additional Sessions Judge, Jhalawar by judgment dated 14.08.2024 in Sessions Case No. 53/2018.

5. It is, therefore, ordered that the sentence of the applicant shall remain suspended till disposal of the appeal and he shall be released on bail, provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each, to the satisfaction of the trial Court to the effect that he shall appear before this Court on 18.05.2026 and as and when called upon to do so.

6. The application is accordingly disposed of.

(PRAMIL KUMAR MATHUR),J