

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc. 3rd Suspension Of Sentence Application
(Appeal) No. 264/2025

In

D.B. Criminal Appeal No.54/2017

Bhura @ Tulsidas S/o Shri Bhenrolal Sharma, R/o Ranipura Police
Station Mandrayal District Karauli (Raj0 (At Present Serving
Sentence In Open Air Camp Karauli)

-----Petitioner

Versus

State Of Rajasthan, Through P.p

-----Respondent

For Petitioner(s)	:	Mr. Govind Prasad Rawat
For Respondent(s)	:	Mr. Amit Kumar Gupta, Addl. GA

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE ANOOP KUMAR DHAND
Order

21/04/2026

1. This 3rd suspension of sentence application has been filed by the appellant alongwith the appeal.
2. Counsel for the appellant has annexed the certificate under Rule 311 (3) of the Rajasthan High Court Rules to the effect that the sentence of life imprisonment has been awarded to the appellant under Sections 376 D and 4 & 6 of POCSO Act and Section 3(2)(V) of SC/ST Act, 1989 and during trial the appellant was not on bail and presently he is in custody. Counsel further submits that the appellant has been falsely implicated in this matter and he has served the sentence for more than thirteen years. Counsel further submits that hearing of the appeal may take long time, hence, the sentence awarded to the appellant may be suspended during the pendency of the appeal and he be released on bail.

3. Counsel for the accused-applicant relied upon the judgment of Hon'ble Supreme Court in the matter of '**Saudan Singh versus The State of Uttar Pradesh**', (Criminal Appeal No.308/2022 (SLP (Crl.) No.4633/2021), decided on 25.02.2022, wherein it is held as under:-

"The second category of cases can be one where the person has served out more than 10 years of sentence. In these cases also at one go bail can be granted unless there are any extenuating circumstances against him."

4. Learned Addl. Govt. Advocate has opposed the application for suspension of sentence.

5. Heard counsel for the parties and perused the record.

6. Considering the facts and circumstances of the case and considering the judgment passed by the Hon'ble Supreme Court in the matter of **Saudan Singh (supra)** and also considering the fact that the applicant has served the sentence for more than thirteen years and hearing of appeal may take long time, this application for suspension of sentence is allowed and it is ordered that execution of sentence awarded to the appellant-**Bhura @ Tulsidas S/o Shri Bhenrolal Sharma** shall remain suspended during the pendency of the appeal and the appellant be admitted to bail subject to satisfaction of the trial court with the stipulation that he shall appear before this Court on 21.05.2026 and thereafter as and when called upon to do so.

7. Office is directed to send a copy of this order to the concerned trial court through email/fax for necessary compliance.

(ANOOP KUMAR DHAND),J

(INDERJEET SINGH),J