

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Application for Suspension of Sentence No.
47/2023

In

S.B. Criminal Revision Petition No. 197/2023

Hariram S/o Bhinyaram Gurjar, R/o Village Mundolao P.s.
Kishangarh District Ajmer (At Present Confined In Central Jail,
Ajmer)

----Petitioner

Versus

State Of Rajasthan, Through P.p

----Respondent

For Petitioner(s) : Mr. Devanshu Sharma

For Respondent(s) : Mr. Yashwant Khankhadi, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

10/08/2023

The present revision petition is preferred aggrieved from order dated 24.01.2023 in criminal appeal No. 157/2018 (118/2013) passed by learned Additional Sessions Judge No.2, Kekri whereby criminal appeal against order of conviction and sentence dated 30.10.2013 in criminal case No. 182/2013 was dismissed and present petitioner was convicted for offence under Section 392 IPC and further sentenced to undergo rigorous imprisonment of 3 years along with fine of Rs.3,000/-.

Considered the grounds of petition and perused the material available on record.

Admit.

List the matter for hearing in the month of February, 2024.

Learned Public Prosecutor has submitted criminal antecedents along with custody certificate and same are taken on record.

Heard learned counsel for petitioner and learned Public Prosecutor on application for suspension of sentence. Perused the material available on record.

As per record, one criminal case was registered against present petitioner wherein he was convicted by learned ACJM No.2, Kishngarh. Petitioner is in custody since 24.01.2023.

Considered the statement of PW-4 (Lalaram) and PW-8 (Ratni Devi). The grounds as advanced by learned counsel for petitioner can be considered only on merits.

Therefore, without expressing any opinion on merits, I am of considered view that it is a fit case wherein petitioner can be enlarged on bail. The application for suspension of sentence is allowed and sentence of petitioner accused-**Hariram S/o Bhinyaram Gurjar** is suspended till disposal of petition with the condition that he would executes 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 19.01.2024 and whenever ordered to do so till the disposal of the petition on the conditions indicated below:-

1. After release of petitioner on bail, he will not indulge in any criminal activity and if it is found that he is involved in any criminal activity, the order shall be recalled.

2. That he/she/they will appear before the trial Court in the month of January of every year till the appeal is decided.

3. 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.

4. Similarly, if the sureties change their address(s), they will give in writing their changed address to the trial Court.

Misc. Application stands disposed of.

(ASHOK KUMAR JAIN),J