

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc. Suspension Of Sentence Application No.
462/2025

in

D.B. Criminal Appeal No. 174/2023

Rinku @ Rinkesh S/o Ramkesh Alias Keshu, Resident of Dhorera,
Police Station Kailadevi, District Karauli (Raj)
(At Present Confined In District Jail, Karauli) (Raj)

-----Accused-Applicant

Versus

State Of Rajasthan, Through PP

-----Respondent

For Accused-Applicant	:	Mr. Rajneesh Gupta
For Respondent-State	:	Mr. Naresh Kumar Gupta, Dy.G.A.
For Complainant	:	Mr. Babu Lal Bairwa

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

06/05/2026

1. This suspension of sentence application has been filed by the present accused-applicant along with the appeal.
2. Counsel appearing on behalf of the accused-applicant submits that the accused-applicant has been sentenced to undergo life imprisonment for the offence under Section 5(G)/6 of the Protection of Children from Sexual Offences Act,2012.
3. Counsel for the accused-applicant has annexed the certificate under Rule 311 (3) of the Rajasthan High Court Rules to the effect that accused-applicant was on bail during trial. Counsel further submits that the accused-applicant has been falsely implicated in

this matter. Counsel further submits that as per the DNA report (Ex.P41), the DNA sample is matching with the DNA of co-accused Roop Singh whereas DNA sample is not matching with the DNA of the present applicant- Rinku. Learned counsel further submits that in the statement recorded under Section 161 Cr.P.C., no allegation of rape has been levelled by the victim against the accused-applicant. Learned counsel further submits that sentence of the co-accused- Jaisingh has been suspended by a Single Bench of this Court vide order dated 11.02.2025 in the matter of 'Jaisingh Vs. State of Rajasthan' passed in SB Criminal Misc. Bail (SOS) Application No. 1708/2024. Counsel further submits that hearing/disposal of appeal is likely to take long time. Therefore, he prays that sentence awarded to the accused-applicant may be suspended and the accused-applicant be released on bail during the pendency of the appeal.

4. Learned Deputy Government Advocate assisted by counsel for the complainant has opposed the application for suspension of sentence.

5. We have heard counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the present case and also considering the fact that the accused-applicant was on bail during trial; sentence of co-accused-Jaisingh has already been suspended by the Single Bench of this Court and hearing/disposal of appeal is likely to take long time, we deem it just and proper to suspend the sentence of the present accused-applicant during the pendency of the appeal.

7. In that view of the matter, this criminal miscellaneous suspension of sentence application is allowed and it is ordered that execution of sentence awarded to the accused-applicant shall remain suspended during the pendency of the criminal appeal and accused-applicant be admitted to bail subject to satisfaction of the trial Court with the stipulation that the accused-applicant shall appear before this Court on 04.07.2026 and thereafter as and when called upon to do so.

8. Office is directed to send a copy of this order to the concerned trial Court through e-mail/fax for necessary compliance.

(BHUWAN GOYAL),J

(INDERJEET SINGH),J