

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc Suspension Of Sentence Application (Appeal)
No. 286/2026

In

S.B. Criminal Appeal No.334/2026

1. Rajaram S/o Sh. Shrilal, Aged About 62 Years, R/o Basokalan, P.S. Malarna Dungar, Dist. Sawai Madhopur (Raj.) (Presently In Central Jail At Bharatpur)
2. Dinesh Kumar S/o Sh. Rajaram, Aged About 28 Years, R/o Basokalan, P.S. Malarna Dungar, Dist. Sawai Madhopur (Raj.) (Presently In Central Jail At Bharatpur)
3. Uganti W/o Sitaram, Aged About 48 Years, R/o Basokalan, P.S. Malarna Dungar, Dist. Sawai Madhopur (Raj.) (Presently In Central Jail At Bharatpur)
4. Dhanwanti Alias Moti D/o Sitaram, Aged About 26 Years, R/o Basokalan, P.S. Malarna Dungar, Dist. Sawai Madhopur (Raj.) (Presently In Central Jail At Bharatpur)

----Appellants

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Appellant(s)	:	Mr. Anurag Sharma with Mr. Akshat Sharma
For Respondent(s)	:	Mr. Shriram Dhakar, PP Mr. Aditya Joshi

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

26/02/2026

Instant application for suspension of sentence has been preferred on behalf of the applicant-appellants under Section 430 of B.N.S.S. alongwith the appeal, to suspend the sentence awarded by the Court of learned Additional Sessions Judge Sawai Madhopur *vide* its judgment dated 05.02.2026 in Sessions Case

No.25/2025, whereby the applicant-appellants were convicted for the alleged offence(s) & sentenced to undergo maximum period of ten years rigorous imprisonment with fine.

Learned counsel appearing for the applicant-appellants submits that the applicants were on bail during trial and presently, they are behind the bars.

It is further submitted that there are material contradictions in the statements of the witnesses and Tikka Ram (PW-8) has not been turned hostile. Counsel further submits that the injured persons, namely Hansraj and Ramlakhan, have stated to be sustained injuries inflicted by axe blows by Bhim Singh and Amar Singh, however, no charge-sheet has been filed against either of them. It is also submitted that the appellant has lodged a cross-FIR No.155/2021, in which the investigation has not yet been concluded. It is further contended that the medical expert has rendered his opinion on the basis of the record of SMS Hospital, but the said record was not exhibited during the trial. Learned counsel also submits that appellant Nos. 3 and 4 are ladies. The learned Trial Court has not appreciated the facts and circumstances of the case holistically and the hearing of the appeal will take its own time, hence, the sentence awarded to the applicant-appellants may be suspended during the pendency of the appeal.

Learned Public Prosecutor and learned counsel for the complainant-respondent have vehemently opposed the submissions made herein-above and submitted that the injuries sustained by the injured persons are grievous in nature.

Heard learned counsel for the parties and perused the material on record.

Taking into consideration the **conviction**, term of sentence & the submissions made at bar and without commenting upon the merits of the case, this Court deems it just and proper to suspend the sentence awarded to the applicant-appellants during the pendency of the appeal.

Accordingly, the application for suspension of sentence is **allowed** and it is, hereby, ordered that the execution of sentence awarded to accused-applicants, namely **Rajaram S/o Sh. Shrilal, Dinesh Kumar S/o Sh. Rajaram, Uganti W/o Sitaram & Dhanwanti Alias Moti D/o Sitaram**, by the learned Trial Court shall remain suspended during pendency of the appeal, provided each of them furnishes a personal bond in the sum of Rs.50,000/- together with two sureties of Rs.25,000/- each, to the satisfaction of the learned Trial Court with the stipulation that they shall appear before this Court on 27.03.2026 and thereafter, as and when they are called upon to do so.

(VINOD KUMAR BHARWANI),J