

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc Suspension Of Sentence Application (Appeal)
No. 297/2026

In

S.B. Criminal Appeal No.347/2026

1. Motilal S/o. Dhannalal, Resident Of Thikriya Kalan, Police Station K. Patan, District Bundi. (At Present Confined In District Jail Bundi (Raj.)
2. Maheshram S/o. Motilal, Resident Of Thikriya Kalan, Police Station K. Patan, District Bundi. (At Present Confined In District Jail Bundi (Raj.)

-----Petitioners

Versus

State Of Rajasthan, Through P.P.

-----Respondent

For Petitioner(s)	:	Mr. Govind Lal Choudhary
For Respondent(s)	:	Mr. Shriram Dhakar, PP

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

27/02/2026

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, Keshoraipatan, District Bundi *vide* its judgment dated 05.02.2026 in Sessions Case No.46/2025(188/2017), whereby the applicant-appellants were convicted for the alleged offence(s) & sentenced to undergo maximum period of four years rigorous imprisonment with fine.

Learned counsel appearing for the applicant-appellants submits that presently, applicants are behind the bars. Counsel further submits that the injured persons have not sustained any

bone injury and 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 has vehemently opposed the submissions made herein-above.

Heard learned counsel for the parties and perused the material made available 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 **Motilal S/o. Dhannalal & Maheshram S/o. Motilal**, 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