

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Criminal Misc. Suspension Of Sentence Application (Appeal)
No. 460/2025

In

D.B. Criminal Appeal No.103/2025

Mahesh Chand Gurjar Son Of Khadkaram, Aged About 22 Years,
Resident Of Bhadana Ki Bal Police Station Narayanpur District
Alwar (Presently Accused Appellant Confined At Observation
Home Jaipur)

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p
2. Victim, R/o

-----Respondents

For Petitioner(s)	:	Mr. Gurvindra Singh, Adv.
For Respondent(s)	:	Mr. Rajesh Choudhary, GA-cum-AAG Mr. Vinod Kumar Sharma Ms. Neha Goyal
For Complainant (s)	:	None present

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

Order

14/05/2026

1. This suspension of sentence application has been filed by the applicant along with the appeal.
2. Counsel for the applicant 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 applicant under Section 376-D IPC and Section 3(2)(v) of SC/ST Act and he is in judicial custody for more than six years and eleven months. Counsel further submits that the applicant has been falsely implicated in this matter and he has been sentenced to life imprisonment till natural life which is contrary to Section 21 of The Juvenile Justice (Care and Protection of Children) Act, 2015. Counsel further submits that the appellant was not on bail

during trial and hearing of appeal may take long time and prayed that sentence awarded to the applicant may be suspended and he be released on bail during the pendency of the appeal.

3. Learned GA-cum-AAG has opposed the application for suspension of sentence.

4. Despite information, no one has put appearance on behalf of the victim/complainant.

4. We have considered the contentions made above and perused the record.

5. Considering the facts and circumstances of the present case and the fact that the applicant is in custody for more than six years and eleven months and hearing of appeal may take long time, we deem it just and proper to allow this criminal miscellaneous suspension of sentence application.

6. 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 applicant shall remain suspended during the pendency of the criminal appeal and the applicant be admitted to bail subject to satisfaction of the trial Court with the stipulation that he shall appear before this Court on 10.07.2026 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 e-mail/fax for necessary compliance.

(BHUWAN GOYAL),J

(INDERJEET SINGH),J