

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Second Suspension of Sentence Application
No.95/2026

In

S.B. Criminal Revision Petition No. 234/2025

Jitendra Kumar Meena S/o Chandraprakash Meena, Aged About 40 Years, R/o Badbela, Tehsil Usnawar, Police Station Mandawar, District Jhalawar, Rajasthan. (At Present Confined In Central Jail Kota)

-----Petitioner

Versus

1. State of Rajasthan, Through P.P.
2. Vinod Chaudhary S/o Dhannalal, R/o Badbeli, Police Station Mundawar, District Jhalawar, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Laxman Meena, Adv.
For Respondent(s)	:	Ms. Manju Dave, P.P.

HON'BLE MR. JUSTICE UMA SHANKER VYAS

Judgment / Order

26/02/2026

Heard learned counsel for the parties on the second application for suspension of sentence.

First application for suspension of sentence earlier filed by the accused-petitioner, i.e. SB Criminal Misc. Suspension of Sentence Application No.44/2025, was dismissed by this Court vide order dated 08.05.2025 on the premise that compliance of Rule 323 of the Rajasthan High Court Rules 1952 has not been made.

The revision petition has been filed against the order dated 12.10.2022 passed by the learned trial Court in Criminal Case No.920/2018, whereby, the accused-petitioner has been convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo one year and six months simple imprisonment along with fine of Rs.10,50,000/- and in default of payment of fine, to further undergo two months simple imprisonment. An appeal was preferred by the accused against the said order which was dismissed by the learned appellate Court while affirming/modifying the order of the learned trial Court.

Learned counsel for the accused-petitioner submits that the accused-petitioner was on bail during trial as well as during pendency of the appeal and is presently behind the bars. Learned counsel also submits that his financial position is not sound. However, he is ready to deposit the amount as ordered by this Court.

Considering the provision of Section 148 of the Negotiable Instruments Act, 1881 and facts and circumstances of the case, this second application for suspension of sentence is allowed. The sentence of the accused-applicant namely, **Jitendra Kumar Meena S/o Chandraprakash Meena** is suspended till final disposal of the revision petition, provided he deposits a sum of Rs.3,00,000/- by way of Demand Draft in the name of complainant before the learned trial Court and also furnishes a personal bond of Rs.1,00,000/- with one surety of the like amount to the satisfaction of the concerned trial Court with the stipulation

that he shall appear before this Court on 28.03.2026 and thereafter as and when called upon to do so.

It is also ordered that the original Demand Draft shall be delivered to the complainant subject to an undertaking to be furnished by the complainant before the learned trial Court to the effect that in case the revision petition is decided against him, he will refund the aforesaid amount along with interest @7% per annum.

A copy of this order be sent to the concerned trial Court for compliance.

(UMA SHANKER VYAS),J

YOGESH KUMAR /01