


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

D.B. Criminal Misc. Suspension Of Sentence Application (Appeal)

No. 514/2026

In

D.B. Criminal Appeal No.384/2025

1. Praveen Kumar Lamboriya, S/o Rohitash, R/o Brijlalpura, P.s. Chidawa, District Jhunjhunu. (Accused-Appellant Is Confined In Central Jail, Bikaner)
2. Karamveer Singh Dheva, S/o Mahendra Singh, R/o Azadnagar, Ojatu, P.s. Chidawa, District Jhunjhunu. (Accused-Appellant Is Confined In Central Jail, Bikaner)
3. Umeed Singh Beniwal, S/o Hoshiyar Singh, R/o Bhadunda Khurd, P.s. Baggar, District Jhunjhunu. (Presently Confined In Central Jail Shyalawas, Dausa)

----Petitioners

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

Connected With

D.B. Criminal Misc. Suspension Of Sentence Application (Appeal)

No. 260/2026

In

D.B. Criminal Appeal No.62/2026

Amit Jhajharia @ Atala Son Of Sanjay Kumar, Resident Of Kithana, Police Station Chirawa, District Jhunjhunu. (At Present Accused-Appellant Confined In Central Jail, Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. V.R. Bajwa, Sr. counsel assisted by Ms. Savita Nathawat, Adv. Dr. Rati Ram Yadav
For Respondent(s)	:	Mr. Naresh Kumar Gupta, Dy. GA Mr. Vinod Kumar Sharma

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

05/05/2026

1. These suspension of sentence applications have been filed by the applicants along with these appeals.
2. Learned Senior Counsel for the applicants have 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 applicants under Section 302/149 of IPC and they are in judicial custody. Learned senior counsel further submits that the applicants have been falsely implicated in this matter. Learned senior counsel further submits that the applicants are neither named in the FIR nor in the statement recorded under Section 161 Cr.P.C. of the complainant-Mukesh Kumar who is brother of the deceased. Learned senior counsel further submits that the eye witness (PW-5) who was working as a cook in the hotel where the incident took place has been declared hostile during trial. Learned Senior counsel further submits that no recovery was made from the accused-Umeed Singh and recovery of lathi, iron rod and pipe has been made from Praveen and Karamveer, however FSL report is negative. Counsel for the applicant-Amit submits that recovery from the applicant of iron rod has been made after 50 days of his arrest. Learned senior counsel further submits that according to the statement of PW-8 who is working as police Head Constable reached on the spot at the first instance and that time the deceased was alive and he has stated that he will give statement after his treatment. Counsel further submits that hearing of appeals may take long time and prayed that sentence awarded to

the applicants may be suspended and they be released on bail during the pendency of these appeals.

3. Learned Dy. Govt. Advocate has opposed the applications for suspension of sentence.

4. We have heard counsels for the parties and perused the record.

5. Considering the facts and circumstances of the present case and the fact that all the accused-applicants were neither named in the FIR nor in the statement recorded under Section 161 Cr.P.C. of the complainant who is brother of the deceased and the eye witnesses have been declared hostile during trial and presence of the other witness is doubtful and the hearing of appeals may take long time, we deem it just and proper to allow these criminal miscellaneous suspension of sentence applications.

6. In that view of the matter, these criminal miscellaneous suspension of sentence applications are allowed and it is ordered that execution of sentence awarded to the applicants shall remain suspended during the pendency of the criminal appeals and the applicants be admitted to bail subject to satisfaction of the trial Court with the stipulation that they shall appear before this Court on 03.07.2026 and thereafter as and when called upon to do so. Copy of this order be separately placed in the connected file.

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