

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Application for Suspension of Sentence No.
714/2025

in

S.B. Criminal Appeal (Sb) No. 858/2025

1. Laxmi Narayan S/o Sh. Nagaram, R/o Khandewla, Police Station Khandar, Distt. Sawaimadhopur.
2. Kapil S/o Sh. Angad, R/o Badvas, Police Station Khandar, Distt. Sawaimadhopur.
3. Hanuman S/o Sh. Chiranji Lal, , R/o Badvas, Police Station Khandar, Distt. Sawaimadhopur.
4. Bharat Lal S/o Sh. Prabhu Lal, , R/o Badvas, Police Station Khandar, Distt. Sawaimadhopur.
5. Vijaypal S/o Sh. Chiranji, , R/o Badvas, Police Station Khandar, Distt. Sawaimadhopur.
6. Kailash S/o Sh. Chiranji, , R/o Badvas, Police Station Khandar, Distt. Sawaimadhopur.
7. Nagaram S/o Sh. Mathuralal, R/o Khandewla, Police Station Khandar, Distt. Sawaimadhopur.
8. Dharmraj S/o Sh. Nagaram, R/o Khandewla, Police Station Khandar, Distt. Sawaimadhopur.
9. Banti S/o Sh. Nagaram, R/o Khandewla, Police Station Khandar, Distt. Sawaimadhopur.

----Appellants

Versus

The State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Appeal (Sb) No. 859/2025

Omprakash Meena Son Of Birbal Meena, Resident Of Village
Khandevla Khandar District Sawaimadhopur

----Appellant

Versus

State Of Rajasthan, Through Public Prosecutor and Ors.

For Appellant(s) : Mr. Neeraj Joshi
For Respondent(s) : Mr. Hemang Singh for
Mr. Harendra Singh
Mr. Devi Singh, PP
Mr. Gaurav Gupta, AGA

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

09/04/2025

S.B. Criminal Appeal (Sb) No. 859/2025

1. Instant appeal is preferred by appellant-complainant under the proviso to Section 372 Cr.P.C. now read as "413 B.N.S.S", aggrieved from acquittal of respondent Nos. 2 to 10 from charge under Section 307 read with Section 149 IPC.
2. Mr. Neeraj Joshi accepts notice on behalf of respondent Nos.2 to 10, whereas learned Public Prosecutor accepts notice on behalf of respondent No.1.
3. Call for record.

S.B. Criminal Appeal (Sb) No. 858/2025

1. Learned Public Prosecutor accepts notice on behalf of State whereas Mr. Hemang Singh on behalf of Mr. Harendra Singh accepts notice for complainant. Office is directed to reflect the name of Mr. Harendra Singh as counsel for respondent-complainant.
2. Aggrieved from judgment of conviction and sentence dated 25.03.2025 in sessions case No. 23/2021, instant appeal is preferred by appellants-accused, wherein they were convicted and sentenced under Sections 148, 341, 323/149 IPC, 324/149 IPC, 324/149 and 325/149 IPC.

3. Admit.

4. Call for record.

5. It is contended on behalf of appellants that awarded sentence was already suspended under Section 430(3) B.N.S.S. He submits that disposal of appeal will take time and appellants are already on bail, so they be released on bail.

6. Considering the fact that appellants are on bail and disposal of appeal will take its own time, therefore application under Section 430(1) of B.N.S.S., is allowed and sentence of appellants accused-**Laxmi Narayan S/o Sh. Nagaram, Kapil S/o Sh. Angad, Hanuman S/o Sh. Chiranji Lal, Bharat Lal S/o Sh. Prabhu Lal, Vijaypal S/o Sh. Chiranji, Kailash S/o Sh. Chiranji, Nagaram S/o Sh. Mathuralal, Dharmraj S/o Sh. Nagaram, and Banti S/o Sh. Nagaram,** is suspended till disposal of appeal with the condition that each of them would execute a personal bond in the sum of Rs.50,000/-with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance in this court on **24.07.2025** and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

1. That they will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the applicants change the place of residence, they will give in writing their changed

address to the trial Court as well as to the counsel in the High Court.

3. Similarly, if the sureties change their address(s), they will give in writing their changed address to the trial Court.

7. Misc. Application stands disposed of.

(ASHOK KUMAR JAIN),J