

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension of Sentence Application
No.828/2026

In

S.B. Criminal Appeal (Sb) No. 918/2026

Jeetu Srivastav Son Of Shri Kishanpal, Aged About 72 Years,
Resident Of Plot No. 72, Dev Nagar-Ii, Panwaliya, Police Station-
Muhana, District Jaipur South.

----Appellant

Versus

1. State Of Rajasthan, Through P.P.
2. Balveer Singh S/o Shri Fateh Singh, Aged About 34 Years,
R/o Plot No. 7, Laxmi Nagar, Chhapolo Ki Dhani Sanganer,
Police Station Muhana, Jaipur.

----Respondents

For Appellant(s) : Mr. Krishna Singh

For Respondent(s) : Mr. Rajendra Singh Shekhawat, PP

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

29/04/2026

Instant application for suspension of sentence has been preferred on behalf of the applicant-appellant under Section 430 of BNSS alongwith the appeal, to suspend the sentence awarded by the Court of learned Special Judge, Protection of Children from Sexual Offences Act, 2012 and Commission for protection of Child Rights Act, 2005, Serial No.3, Jaipur Metropolitan-I (Raj.) *vide* its judgment dated 13.04.2026 in Sessions Trial Case No.05/2026, whereby the applicant-appellant was convicted for the alleged offence(s) & sentenced to undergo maximum period of three years rigorous imprisonment with fine.

Learned counsel appearing for the applicant-appellant submits that the appellant was on bail during trial and the learned

Trial Court has already suspended the sentence of the appellant for a period of one month. Counsel further submits that the learned Trial Court has not appreciated the facts & circumstances of the case holistically and the hearing of the appeal will take its own time, hence, the sentence awarded to the applicant-appellant 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.

Looking to the overall facts & circumstances of the case and 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-appellant 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-applicant, namely **Jeetu Srivastav Son Of Shri Kishanpal**, by the learned Trial Court shall remain suspended during pendency of the appeal, provided he 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 he shall appear before this Court on 01.06.2026 and thereafter, as and when he is called upon to do so.

(VINOD KUMAR BHARWANI),J