

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension Of Sentence Application (Appeal)
No. 935/2026

URN: SOSA / 1773U / 2026

In

S.B. Criminal Appeal No.420/2026

Dharmpal Son Of Shrichand, Resident Of Dagra, Thana Dihauli,
District Dholpur. (At Present Confined In District Jail Dholpur)

----Appellant

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s) : Mr. Neeraj Sharma

For Respondent(s) : Mr. Shree Ram Dhakar, PP

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

14/07/2026

Instant application for suspension of sentence has been preferred on behalf of the applicant-appellant under Section 430 of B.N.S.S. alongwith the appeal, to suspend the sentence awarded by the learned Sessions Judge, Dholpur (Raj.), *vide* its judgment dated 07.02.2026 in Sessions Case No.05/2018(CIS No.05/2018), whereby the applicant-appellant was convicted for the alleged offence(s) & sentenced to undergo maximum period of five years simple imprisonment with fine.

Learned counsel for the appellant submits that the appellant was on bail during the course of trial and, presently, he is behind the bars since 07.02.2026 & has served more than four months in the custody of the actual sentence. Counsel further submits that

both the parties have filed cases against each other and the appellant has also lodged an cross-FIR against the complainant in relation to the alleged incident in the matter. Counsel further submits that the co-accused person, namely Ramu, has already been granted bail by this Court and 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.

Taking into consideration the conviction, term of sentence, custody period, & 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 **Dharmpal Son Of Shrichand**, 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



14.08.2026 and thereafter, as and when he is called upon to do
so.

(VINOD KUMAR BHARWANI),J

SAURABH /76