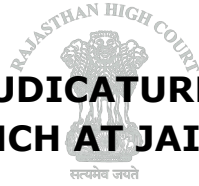


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



D.B. Criminal Misc. Suspension Of Sentence Application No.
1651/2026

CNR: RJHC020731452026 | URN: SOSA / 2970U / 2026

IN

D.B. Criminal Appeal No. 230/2026

Uday Singh Son of Kishansingh, Resident Of Nayabas Rajakhera,
Police Station Rajakhera, District Dholpur. (At Present Confined
In District Jail, Dholpur)

-----Accused-Appellant

Versus

State Of Rajasthan, Through P.P

-----Respondent

Connected With

D.B. Criminal Misc. Suspension Of Sentence Application No.
1456/2026

CNR: RJHC020610462026 | URN: SOSA / 2623U / 2026

IN

D.B. Criminal Appeal No. 201/2026

Niranjan Singh Son of Shri Badan Singh, Resident Of Village
Kanhaki, Thana Diholi, District Dholpur (Raj.) (Appellant
Confined In Judicial Custody At District Jail Dholpur)

-----Accused-Appellant

Versus

State Of Rajasthan, Through P.P

-----Respondent

D.B. Criminal Misc. Suspension Of Sentence Application No.
1457/2026

CNR: RJHC020604882026 | URN: SOSA / 2624U / 2026

IN

D.B. Criminal Appeal No. 202/2026

Rammurti Son Of Premsingh, Resident Of Bhagatupura Police
Station Nibohara District Agra Uttarpradesh. (Appellant Is In
Judicial Custody In District Jail Dholpur)

----Accused-Appellant

Versus

State Of Rajasthan, Through P.P

----Respondent

For Petitioner(s)	:	Mr. Shriram Yadav Mr. Neeraj Sharma Mr. Sumit Kumar Jain
For Respondent(s)	:	Mr. Rhishi Raj Singh Rathore, PP Mr. Dushyant Jain

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL
HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

15/09/2026

These suspension of sentence applications under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed by the accused-applicants (for brevity, "the applicants") alongwith the appeals. The applicants have been convicted and sentenced by the learned Special Judge, Dacoity Affected Area, Dholpur (for short, 'the learned trial Court') vide judgment dated 23.04.2026 passed in Special Sessions Case No.05/2015 (CIS No.868/2015) as under:-

Under Section 120-B IPC: Life imprisonment and fine of ₹10,000/-; in default whereof, one year's additional simple imprisonment.

Learned counsels for the applicants submit that they have falsely been implicated in this case with the aid, only of their alleged mobile conversation with the co-accused with an additional evidence against the applicant-Rammurti of recovery of a *katta* from him, which, indisputably, was not used in commission of the

offence. They contended that their conviction has been recorded under Section 120-B IPC only on assumption and presumption in absence of any legally admissible evidence against them. Learned counsels canvassed that the applicants were on bail during trial with no allegation of its misuse, hearing of the appeals is likely to take time and pray for suspension of substantive sentence awarded to them.

Per contra, learned Public Prosecutor, assisted by learned counsel for the complainant, opposed the prayer.

Heard. Considered.

Indisputably, presence of five co-accused has been shown at the scene of crime out of whom, three opened gun fire and the applicants are not part of that group of five persons. Their conviction under Section 120-B IPC has been recorded only with the aid of their mobile conversation with an additional evidence against the applicant-Ram Murti of recovery of a *katta* from him. However, he has been acquitted of the charge under Section 3/25 of the Arms Act, 1959. The applicants were on bail during trial with no allegation of its misuse. It cannot be denied that hearing of appeals may take time. In the conspectus of aforesaid analysis, we deem it just and proper to allow the suspension of sentence applications.

Accordingly, the suspension of sentence applications are allowed. Substantive sentence awarded to the applicants namely **Uday Singh S/o Kishansingh, Niranjana Singh S/o Shri Badan Singh & Rammurti S/o Prem Singh** by the learned trial Court vide judgment dated 23.04.2026 shall remain suspended during pendency of the appeals and they shall be released on bail

provided each of them furnishes bail bonds to the satisfaction of the learned trial Court to the effect that they shall appear before this Court on or before 15.10.2026 and as and when called upon to do so till disposal of the appeals and subject to the following conditions:-

1. That they will appear before the learned trial Court in the month of January of every year till the appeals are decided.
2. That if the applicants change the place of residence, they will give in writing their changed address(es) to the learned trial Court as well as to their learned counsel in the High Court who shall, in turn, inform this Court.
3. Similarly, if the sureties change their address(es), they will give in writing their changed address to the learned trial Court.

The learned trial Court shall keep the record of attendance of the accused-applicants in a separate file(s). Such file(s) be registered as Criminal Misc. Case relating to original case in which the accused-applicants were tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file(s) shall not be taken into account for statistical purpose relating to pendency and disposal of the cases in the learned trial Court. In case, the said accused-applicants do not appear before the learned trial Court, the learned trial Judge shall report the matter to the High Court for cancellation of benefit extended by this order.

(PRAVEER BHATNAGAR),J

(MAHENDAR KUMAR GOYAL),J