

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

S.B. Criminal SoS Application No.1070/2019
IN

S.B. Criminal Appeal No. 1544/2019

Hari Singh @ Hari @ Hari Om @ Vikas S/o Hajari Lal B/c Meena,
R/o Village Pilodi, Police Station Manpur, Distt. Dausa Raj. (At
Present Accused Petitioner Confined In Central Jail Ajmer)

----Appellant

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Appellant(s)	:	Mr. K.L. Meena
For Respondent(s)	:	Mr. F.R. Meena,PP

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

09/09/2019

Heard learned counsel for the appellant as well as learned Public Prosecutor.

Learned counsel for the appellant submits that the accused appellant is behind the bars. Counsel further submits that the hearing of the case will take sufficient long time for disposal. Therefore, the benefit of bail should be granted to the accused applicant.

Learned public prosecutor opposed the suspension of the Sentence application.

Upon a consideration of the arguments advanced on behalf of the appellant and having regard to the facts and circumstances of the case, this court is of the opinion that it is a fit case for suspending the sentence awarded to the accused appellant.

Accordingly, the application for suspension of sentence filed under Section 389 Cr.P.C. is allowed and it is ordered that the sentences passed by the learned Additional Session Judge (Women Atrocities) Ajmer, vide judgment dated 26.06.2019 in Sessions Case No.43/2016,

C.I.S. No.632/2015 against the appellant-applicant Hari Singh @ Hari @ Hari Om @ Vikas S/o Hajari Lal shall remain suspended subject to the condition that the appellant shall deposit the fine amount awarded by the trial Court till final disposal of the aforesaid appeal and he shall be released on bail, provided he executes a personal bond in the sum of Rs.80,000/- with two sureties of Rs.40,000/- each to the satisfaction of the learned trial Judge for his appearance in this court on 15/10/2019 and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

1. That he/she/they will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the applicant(s) changes the place of residence, he/she/they will give in writing his/her/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.

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

(MANOJ KUMAR GARG),J