

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc. IIIrd Suspension of Sentence Application No.
1839/2024

In

D.B. Criminal Appeal No.1198/2017

Suman Yadav W/o Shri Ashok Kumar, Resident Of Village
Hasanpur Police Station Tapukra District Alwar (At Present
Confined In Sub Jail Kishangarh Bas Alwar)

----Petitioner

Versus

State Of Rajasthan, Through P.p

----Respondent

For Petitioner(s)	:	Mr. Manish Gupta Mr. Krishan Kumar Chhawal
For Respondent(s)	:	Mr. RishiRaj Singh Rathore, Dy.G.A. Mr. Naresh Kumar Gupta, Dy.G.A.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

16/03/2026

1. This third suspension of sentence application has been filed by the accused-applicant along with the appeal.
2. Learned counsel appearing on behalf of the accused-applicant submits that the accused-applicant has been convicted for the offences under Sections 302 & 120B read with Section 201 of Indian Penal Code, 1908.
3. Learned counsel for the accused-applicant has annexed the certificate under Rule 311 (3) of the Rajasthan High Court Rules to the effect that accused-applicant is confined in jail since his initial date of arrest. He further submits that the accused-applicant has

been falsely implicated in this matter and the accused-applicant has already served the sentence for a period of more than twelve years. He further submits that the sentence of life imprisonment has been awarded to the accused-applicant under Section 302 of IPC. He further submits that the appeal is not likely to be heard in near future and prayed that sentence awarded to the accused-applicant may be suspended and he be released on bail during the pendency of the appeal.

4. Counsel for the accused-applicant relied upon the judgment of Hon'ble Supreme Court in the matter of '**Saudan Singh versus The State of Uttar Pradesh**', (Criminal Appeal No.308/2022 (SLP (Crl.) No.4633/2021), decided on 25.02.2022, wherein it is held as under:-

"The second category of cases can be one where the person has served out more than 10 years of sentence. In these cases also at one go bail can be granted unless there are any extenuating circumstances against him."

5. Learned Deputy Government Advocate has opposed the application for suspension of sentence.

6. We have heard counsel for the parties and perused the record.

7. Considering the facts and circumstances of the present case, and also considering the facts that the accused-applicant has already served the sentence for a period of more than twelve years, the accused-applicant is a lady, hearing of appeal may take long time and also in view of judgment passed by Hon'ble Supreme Court in the matter of '**Saudan Singh**' (supra), we

deem it just and proper to allow this criminal miscellaneous suspension of sentence application.

8. In that view of the matter, this criminal miscellaneous suspension of sentence application is allowed and it is ordered that execution of sentence awarded to the accused-applicant shall remain suspended during the pendency of the criminal appeal and the accused-applicant be admitted to bail subject to satisfaction of the trial Court with the stipulation that he shall appear before this Court on 20.04.2026 and thereafter as and when called upon to do so.

9. Office is directed to send a copy of this order to the concerned trial Court through e-mail/fax for necessary compliance.

(ANOOP KUMAR DHAND),J

(INDERJEET SINGH),J