

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Suspension of Sentence Application
No.1976/2025

In

S.B. Criminal Appeal (Sb) No. 2645/2025

Gaurav Kumar S/o Shri Ramesh Kumar Ojha, R/o Kumhela, P.s. Isuapur, Post Sikti, District Chhpra (Saran) Bihar, At Present-House No.c-98, Gali No 5, Ekta Marg Nangli Vihar Extension, Baapdola, P.s. Ranhola, New Delhi. (Appellant Is Confined In Central Jail, Kota)

----Appellant

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Appellant(s)	:	Mr. Samarth Sharma
For Respondent(s)	:	Mr. Jaiprakash Tiwari, PP

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

25/02/2026

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 Court of learned Additional Sessions Judge, No.6, Kota (Raj.) *vide* its judgment dated 12.08.2025 in Sessions Case No.191/2020, whereby the applicant-appellant was convicted for the alleged offence(s) & sentenced to undergo maximum period of seven years rigorous imprisonment with fine.

Learned counsel appearing for the applicant-appellant submits that the applicant was on bail during trial and he is behind the bars from two years & ten months. Counsel further submits

that the learned Trial Court has not appreciated the facts and 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 & 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 **Gaurav Kumar S/o Shri Ramesh Kumar Ojha**, 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 25.03.2026 and thereafter, as and when he is called upon to do so.

(VINOD KUMAR BHARWANI),J