

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc 2nd Suspension Of Sentence Application No.
2275/2025

in

DB Criminal Appeal No. 125/2020

Rajjo S/o Ramkishan, R/o Nagla Masada Police Station Roopwas
District Bharatpur

(At Present He Is Judicial Custody Centre Jail Bharatpur)

----Accused-applicant

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Accused- : Mr. Vinod Kumar Sharma
applicant

For Respondent(s) : Mr. Jitendra Singh Rathore, Addl.G.A.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

19/03/2026

1. This second 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 offence under Section 376(2)(i)(N) of Indian Penal Code.

3. Learned counsel for the accused-applicant 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 eleven years. He further submits that the sentence of life imprisonment has been awarded to the accused-

applicant under Section 376(2)(i)(N) 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. Learned 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 Additional Government Advocate has opposed the application for suspension of sentence and submitted that the complainant has been duly informed about filing of the second suspension of sentence application by the accused-applicant through concerned SHO. However, no one has put in appearance to oppose the suspension of sentence application on behalf of the complainant.

6. We have heard learned 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 eleven years, 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 second 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 21.04.2026 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.

(BHUWAN GOYAL),J

(INDERJEET SINGH),J