

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

D.B. Criminal 2nd SOSA No.649/2019

In

D.B. Criminal Appeal No. 454/2017

Atyendra Son Of Bharosi @ Rambharosi By Caste Jatav, R/o
Village Naya Bas, Basedi, P.s. Basedi District Dholpur. At Present
Confined In Central Jail, Sewar District Bharatpur

----Appellant

Versus

State Of Rajasthan Through P.p.

----Respondent

For Appellant(s) : Mr. Mukesh Sharma

For Respondent(s) : None present

**HON'BLE MR. JUSTICE MOHAMMAD RAFIQ
HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA**

Order

23/05/2019

The 1st application for Suspension of Sentence of the appellant, was dismissed as withdrawn vide order dated 20.9.2017 after learned counsel making arguments at some length. But in that order, it was directed that since the appellant is in jail for more than four and half years, the appeal be listed for hearing.

Learned counsel for the appellant submitted that the present 2nd application for Suspension of Sentence be allowed because now despite the appellants' conviction under Section 304 Part-B of IPC, he has already served the sentence of six years till now.

We are, however, not inclined to accept this application. The 2nd application of Suspension of Sentence is dismissed. However since the paper book has already been prepared and appellant has

(MOHAMMAD RAFIQ),J

RAJASTHAN HIGH COURT



सत्यमेव जयते