

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc. Suspension of Sentence Application (Appeal)
No. 2454/2025

In

D. B. Criminal Appeal No.504/2025

1. Sanjay son of Netram, Resident of Husaipura, Police Station Bhiwadi, Phase-III, District Alwar.
2. Subhash Son of Dharm Singh, Resident of Husaipura, Police Station Bhiwadi, Phase-III, District Alwar. (Presently accused appellants confined At Central Jail Alwar)

---Accused-Appellants

Versus

State of Rajasthan, Through P.P.

----Respondent

For Petitioner(s) : Mr. Gurvindra Singh

For Respondent(s) : Mr. Rhishi Raj Singh Rathore, Dy.G.A.

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

Order

12/05/2026

1. This suspension of sentence application has been filed by the applicants along with the appeal.
2. Counsel appearing on behalf of the accused-applicants submits that the accused-applicants have been convicted and sentenced to undergo life imprisonment for the offence under Sections 302/149 IPC.
3. Counsel for the accused-applicant has annexed the certificate under Rule 311 (3) of the Rajasthan High Court Rules to the effect that accused-applicants were on bail during trial. Counsel submits

that the applicants have been falsely implicated in this matter. Counsel further submits that as per statement of Jamshed (PW-6), firearm injury on the person of the deceased has been assigned to co-accused-Rajveer @ Pappu. He further submits that hearing of appeal may take long time and prays that sentence awarded to the applicants may be suspended and they be released on bail during the pendency of the appeal.

3. Learned Dy. Govt. Advocate has opposed the application for suspension of sentence.

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

5. Considering the facts and circumstances of the present case and considering the statement of Jamshed (PW-6) as well as post-mortem report (Ex.P-15) and hearing of appeal may take long time, we deem it just and proper to allow this criminal miscellaneous suspension of sentence application.

6. 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 applicants shall remain suspended during the pendency of the criminal appeal and the applicants be admitted to bail subject to satisfaction of the trial Court with the stipulation that they shall appear before this Court on 13.07.2026 and thereafter as and when called upon to do so.

7. 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