

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

S.B. Criminal Misc. Suspension of Sentence Application  
No.595/2023

In

S.B. Criminal Revision Petition No. 1999/2023

Jagdish Gurjar S/o Sh. Ghasiram Gurjar, Aged About 45 Years,  
R/o Village Nareli Tehsil Ajmer District Ajmer

-----Petitioner

Versus

1. State Of Rajasthan, Through The Learned P.P.
2. Shalimar Buildcon Pvt. Ltd., Director Ram Prakash Agarwal R/o 62, Barmeej Colony, Agra Road, Jaipur Through Authorized Manager Radheyshyam Pareek S/o Gordhan Prasad Pareek.

-----Respondents

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For Petitioner(s) : Mr. Neeraj K. Tiwari

For Respondent(s) : Mr. Rajendra Singh Shekhawat, PP

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**HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI**

**Order**

**28/04/2026**

This suspension of sentence application has been filed by the applicant-petitioner alongwith the revision petition.

Learned counsel for the applicant-petitioner submits that the applicant has been convicted by the learned Trial Court for offence(s) under Section(s) 138 of N.I. Act and sentenced with a maximum period of one year simple imprisonment along with fine as per judgment dated 02.03.2021. The applicant has also filed an appeal before the learned Appellate Court and the same was dismissed, while affirming the judgment of the Trial Court, vide its judgment dated 20.11.2023. Counsel has annexed the Certificate

under Rule 311 of High Court Rules, 1952 to the effect that the applicant was on bail during trial as well as appeal and presently, he is behind the bars. Counsel also submits that the judgment of conviction & sentence passed by the Trial Court, is totally based upon surmises and conjectures and the revision petition is likely to take long time to conclude. Hence, the sentence awarded to the applicant may be suspended during the pendency of the revision petition.

Looking to the term of sentence, without commenting upon the merits of the case and considering the submissions made at bar, this Court deems it just and proper to suspend the sentence awarded to the applicant-petitioner.

Accordingly, this application for suspension of sentence is **allowed** and it is ordered that the execution of sentence awarded to the applicant, namely **Jagdish Gurjar S/o Sh. Ghasiram Gurjar**, by the learned Trial Court vide judgment dated 02.03.2021 and affirmed by the learned Appellate Court vide judgment dated 20.11.2023, shall remain suspended during the pendency of the revision petition, provided he deposits Rs.5,00,000/- amount by way of Demand Draft in the name of complainant/respondent No.2 and also furnishes a personal bond 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 27.05.2026 and thereafter, as and when he is called upon to do so.

On deposit of the aforesaid amount, the same shall be released and disbursed to the complainant/respondent No.2 on an

undertaking that if the applicant-petitioner succeeds in petition, same would be returned to the applicant-petitioner with interest @ 6% per annum within a period of two weeks from the disposal of the revision petition.

(VINOD KUMAR BHARWANI),J

SAURABH /65