



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1928 of 2026

Kaushal

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)	:	Virendra Singh Rajput
Counsel for Respondent(s)	:	G.A.

Court No. - 92

HON'BLE JAI PRAKASH TIWARI, J.

Order on Criminal Misc. Suspension of Sentence Application No. 01 of 2026

Heard learned counsel for the appellant, as well as learned A.G.A. for the State and perused the material on record.

This criminal appeal under Section 415(2) of B.N.S.S. has been preferred with the prayer to allow this application and release the appellant on bail, suspend the sentence of the appellant in Special Case No. 631 of 2020; titled State of U.P. vs. Kaushal, arising out of Case Crime No. 30 of 2020, under Section 354(Ka), 506 IPC, Police Station Ahmadgarh, District Bulandshahr, arising out of judgment and order dated 07.02.2026 passed by learned Special Judge (POCSO Act), Bulandshahr and further prays to stay realization of fine during the pendency of appeal.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in the subject case. It is next submitted that the learned trial court did not appreciate the evidence on record in proper way but convicted and sentenced the appellant for a maximum period of three years rigorous imprisonment, under Section 354(Ka) IPC, with the fine of Rs. 10,000/- and in default, he shall serve two months additional imprisonment and released him on interim bail till filing of this appeal. Since hearing of appeal is also not likely to be completed in near future, therefore, requested to release the appellant on bail during the pendency of appeal.

Learned A.G.A. opposed the bail.

Considering the facts and circumstances of the case, submissions made by learned counsel for the appellant, as well as learned A.G.A. and perusal of record, judgment passed by learned trial court particularly the fact that maximum three years' sentence has been awarded to the appellant and he is on interim bail granted by the trial court, and none possibility of hearing of appeal in near future; without further commenting on merit of the case, I am inclined to release the appellant on bail.

Accordingly, the application is allowed.

Let **appellant-Kaushal** be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned during pendency of this appeal.

On acceptance of the bail bonds, the court below shall transmit the xerox copies thereof to this Court for being kept on record.

Realization of entire fine shall be deposited by the appellant within one month from the date of this order.

Order on Appeal

List this appeal in due course.

(Jai Prakash Tiwari,J.)

February 20, 2026
Brijesh