

**Court No. - 42**

**Case :-** CRIMINAL APPEAL No. - 4208 of 2022

**Appellant :-** Rakesh And 3 Others

**Respondent :-** State of U.P. and Another

**Counsel for Appellant :-** Sanjay Mishra

**Counsel for Respondent :-** G.A.

**Hon'ble Samit Gopal,J.**

***Order on Appeal***

Heard Sri Sanjay Mishra, learned counsel for the appellants and Sri Ankit Srivastava, learned counsel for the State and perused the material on record.

Issue notice to the opposite party no.2 through CJM concerned returnable within three weeks.

Summon the lower court records.

List on 29.07.2022 as fresh.

***Order on Criminal Misc. Suspension of Sentence Application No. 1 of 2022***

This criminal appeal under Section 14(A)(2) SC/ST Act has been preferred by the appellants - Rakesh, Sujeet Kumar, Golu @ Gaurav and Mukesh Babu Shukla against the judgment and order dated 17.05.2022 passed by Special Judge SC/ST (P.A.) Act Court No.2 Etawah in Sessions Trial No. 152 of 2013 (State of U.P. and others Vs. Mohan Lal 'deceased' and others) in Case Crime No. 113 of 2011, under Sections 147, 149, 323, 504 IPC and 3(1)(10) SC/ST Act whereby the appellants have been convicted and sentenced under Section 147 IPC for one years along with fine of Rs. 1,000/- and in default of payment to further undergo for 15 days, under Section 323 IPC read with Section 149 IPC for one year along with fine of Rs. 5,00/- and in default of payment of fine to further undergo for 10 days, under Section 504 IPC for one year along with fine of Rs. 5,00/- and in default of payment of fine to further undergo for 10 days and under Section 3(1)(10) SC/ST Act for three years along with fine of Rs. 3,000/- and in default of payment of fine to further undergo for 30 days.

Learned counsel for the appellants argued that the appellants are on interim bail vide order dated 17.05.2022. Copy of the said order is annexed as annexure 1 to the application for suspension

of sentence. It is argued that the appellants were on bail during trial.

Till the next date of listing, the order dated 17.05.2022 passed by the trial court granting interim bail to the appellants is extended.

The prayer of application for suspension of sentence shall be considered after receipt of records.

**Order Date :- 23.6.2022**

M. ARIF

(Samit Gopal, J.)