

Court No. - 70

Case :- CRIMINAL APPEAL No. - 4517 of 2025

Appellant :- Deshraj Alias Chhotu

Respondent :- State Of U.P. And 3 Others

Counsel for Appellant :- Sandeep Kumar Rai

Counsel for Respondent :- G.A.

Hon'ble Rajeev Misra,J.

Ref:-Order on the Memo of Appeal-

1. Heard Mr. Sandeep Kumar Rai, the learned counsel for appellant and the learned A.G.A. for State-opposite party-1.
2. Admit.
3. Summon the lower court record.
4. Notice on behalf of State-opposite party-1 has been accepted by the learned A.G.A.
5. Issue notice to opposite parties-2,3 and 4.
6. Put up this criminal appeal for orders as fresh on 17.7.2025.

Ref:-Order on the Application for Suspension of Sentence-

1. Heard Mr. Sandeep Kumar Rai, the learned counsel for applicant/appellant and the learned A.G.A. for State-opposite party-1.
2. Perused the record.
3. Notice on behalf of State-opposite party-1 has been accepted by the learned A.G.A.
4. Issue notice to opposite parties-2, 3 and 4.
5. By means of the impugned judgment and order, applicant-appellant has been convicted and sentenced for a maximum period of 10 years but under section 6 of POCSO Act also.
6. In view of above and also the provisions existing in proviso to Section 389(1) Cr.P.C., the learned A.G.A. for State-opposite party-1 is mandatorily required to file his objection/counter affidavit to the application for suspension of sentence/prayer for bail before any order is passed by this Court on the aforementioned application for suspension of sentence/prayer

for bail.

7. Accordingly, the learned A.G.A. for State-opposite party-1 is directed to file his objection/counter affidavit to the application for suspension of sentence/prayer for bail within four weeks. Applicant/appellant will have two weeks thereafter to file his rejoinder affidavit..

8. Put up this criminal appeal for orders as fresh on 17.7.2025.

9. By the next date, the learned counsel for applicant-appellant shall file a list of dates, brief synopsis containing the details of prosecution evidence (oral and documentary), material exhibits, defence evidence, points raised before Court below and the findings returned by Court below.

Order Date :- 17.5.2025

Arshad