



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. _____/2026
[@ SLP [CRL.] NO.5582/2026]**

OMPRAKASH & ORS.

Appellant(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

O R D E R

Leave granted.

The appellants stand convicted by the Trial Court for the offences under Sections 341, 447, 323, 325, 307 read with Section 34 of the Indian Penal Code, 1860. They have been sentenced to undergo a maximum period of simple imprisonment for a period of 10 years. Their appeal against conviction is pending before the High Court since the year 2025. However, the High Court was pleased to dismiss their application for suspension of sentence during the pendency of the appeal.

We have heard the learned Senior counsel and the learned counsel appearing for the appellants and the respondent.

Learned Senior counsel appearing for the appellants submits that the criminal antecedents of the appellants are pertaining to minor offences. He further submitted that in the present case, the occurrence is said to have happened pursuant to a dispute between the parties. In any case, all the appellants have undergone incarceration for more than 7 months.

Though, learned counsel appearing for the State vehemently opposed the prayer for suspension of sentence, we are inclined to set aside the impugned order as the appeal before the High Court, being of year 2025, would take a considerable period of time for its disposal.

Even on merits, we are inclined to set aside the impugned order and suspend the appellants' sentence, particularly, by taking into

consideration the facts governing the instant case.

Accordingly, the impugned order stands set aside, the sentence of the appellants stands suspended and they are granted bail, during the pendency of the appeal before the High Court, on terms and conditions to the satisfaction of the concerned Trial Court.

The appeal stands allowed, accordingly.

Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[SATISH CHANDRA SHARMA]

NEW DELHI;
MAY 19, 2026.

ITEM NO.12 COURT NO.5 SECTION II-D

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.)
No(s). 5582/2026

[Arising out of impugned final judgment and order
dated 02-02-2026 in SBCRMSOSA(A) No. 2233/2025
passed by the High Court of Judicature for
Rajasthan at Jaipur]

OMPRAKASH & ORS. Petitioner(s)

VERSUS

STATE OF RAJASTHAN Respondent(s)

Date : 19-05-2026 This petition was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Gaurav Agrawal, Sr. Adv.
 Ms. Poornima Singh, AOR
 Mr. Rahul Yadav, Adv.
 Mr. Narender Kumar Yadav, Adv.

For Respondent(s) Mr. Divyank Panwar, Adv.
 Mr. Saurabh Rajpal, Adv.
 Ms. Nidhi Jaswal, AOR

UPON hearing the counsel the Court made
the following

O R D E R

Leave granted.

The sentence of the appellants is suspended

and they are granted bail on terms and conditions to the satisfaction of the Trial Court.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]