

(2023) 07 MP CK 0054

In the Madhya Pradesh High Court

Case No : Criminal Appeal No.8780 Of 2023

Anil Singh And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 11-07-2023

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 420
Code Of Criminal Procedure, 1973 — Section 389(1)

Citation : (2023) 07 MP CK 0054

Hon'ble Judges : Deepak Kumar Agarwal, J

Bench : Single Bench

Advocate : Satendra Singh Sikarwar, Rohit Shrivastava

Judgement

Deepak Kumar Agarwal, J

Heard on admission.

Being arguable, appeal is admitted for final hearing.

Record of the trial Court be called for.

Also heard on IA.No.12491 of 2023, 1st application u/Sec. 389(1) of Cr.P.C. for suspension of sentence and grant of bail filed on behalf of appellants.

Vide judgment dated 16th June, 2023 passed by the 17th Additional Sessions Judge, Gwalior, in S.T.No.37/2021 appellants have been convicted under Sections 420 and 120-B of IPC with maximum sentence of 3 years RI.

Learned counsel for the appellants submits that sentence of the appellants has already been suspended by the trial Court till 15.7.2023. They have deposited the amount of fine. The appellants have a good case on merits and hearing of the appeal will take time. Hence, prayed for suspension of jail sentence and grant of bail.

Learned counsel for the State opposed the application and prayed for its

rejection.

Considering the facts and circumstances of the case, but without commenting upon merits of the case, IA is allowed and it is directed that jail sentence of appellants will remain under suspension subject to verification that amount of fine has been deposited, on appellants' furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one solvent surety each of the like amount to the satisfaction of concerned Trial Court for appearance before the Principal Registrar of this Court on 18th December, 2023 and on such further dates as may be fixed by the office in this regard till disposal of the appeal.

Certified copy as per rules.