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**(2023) 12 RAJ CK 0008**  
**In the Rajasthan High Court**  
**Case No : Criminal Appeal (SB) No. 2132 Of 2023**

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|----------------------------------|------------|
| Hansa @ Hansraj @ Harbansh Singh | APPELLANT  |
| Vs                               |            |
| State Of Rajasthan And Others    | RESPONDENT |

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**Date of Decision :** 04-12-2023

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 389

**Citation :** (2023) 12 RAJ CK 0008

**Hon'ble Judges :** Manoj Kumar Garg, J

**Bench :** Single Bench

**Advocate :** VK Bhadu, Aneesh Bhurat, CP Marwan

**Final Decision :** Allowed

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## Judgement

Manoj Kumar Garg, J

Heard.

Admit.

Learned Public Prosecutor accepts notice on behalf of respondent-State. Issue notice to respondent No.2, returnable within a period of eight weeks.

Heard on suspension of sentence application No.1283/2023. Upon a consideration of the arguments advanced on behalf of the appellant and having regard to the facts and circumstances of the case including the facts that appellant is behind the bars since 17.07.2018 and hearing of the appeal is likely to take a long time, therefore, this Court is of the opinion that it is a fit case for suspending the sentence awarded to the appellant.

Accordingly, the application for suspension of sentence filed under Section 389 Cr.P.C is allowed and it is ordered that the sentence passed by the learned Additional Sessions Judge No.2, Hanumangarh vide judgment dated 16.09.2023 in Criminal Sessions Case No.97/2018 against the appellant Hansa @ Hansraj @ Harbansh Singh S/o Sh. Khajansingh, shall remain suspended till final disposal of

the aforesaid appeal subject to depositing the 50% fine amount as imposed by the learned trial Court, provided he executes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for his appearance in this court on 05.01.2024 and whenever ordered to do so, till the disposal of the appeal on the conditions indicated below:-

1. That he will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the appellant changes the place of residence, he will give in writing his changed address to the trial Court as well as to the counsel in the High Court.
3. Similarly, if the sureties change their address, they will give in writing their changed address to the trial Court.
4. The appellant shall deposit 50% of fine amount as imposed by the trial court.

The learned trial Court shall keep the record of attendance of the accused-appellant in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused= appellant was tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file shall not be taken into account for statistical purpose relating to pendency and disposal of cases in the trial court. In case the said accused-appellant does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.