

(2020) 08 MP CK 0092
In the Madhya Pradesh High Court
Case No : Criminal Appeal No. 3130 Of 2016

Nafees @ Bhandari

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 21-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 392
Code Of Criminal Procedure, 1973 — Section 389(1)

Citation : (2020) 08 MP CK 0092

Hon'ble Judges : J. P. Gupta, J

Bench : Single Bench

Advocate : Prashant Chourasiya, Vinod Mishra

Final Decision : Dismissed

Judgement

Heard on I.A. No.7085/2020, which is sixth application under Section 389(1) of Cr.P.C. for suspension of sentence and grant of bail filed on behalf of

the appellant. Earlier IA No.13192/2017 was dismissed on merit vide order dated 17/08/2017.

The appellant-accused has filed this appeal against the conviction and sentence dated 07/10/2016 passed by 1st Additional Session Judge, District

Sehore in Session Trial No.170/2013 convicting the appellant under Sections 394 of the IPC and sentencing him to undergo R.I for 10 years, with fine

amount with default stipulation, as mentioned in the impugned judgment.

This application has been filed on the ground of further period of custody. Further period of detention is not a significant to consider the fresh

application. Apart from it, learned PL has submitted that the applicant has criminal antecedent and also convicted under section 392 of the Cr.P.C in

another case and looking to his criminal past he is not entitled to get benefit of

suspension of sentence.

Considering all facts and circumstances of the case, in view of this Court the applicant is not entitled to get benefit of suspension of sentence. Hence

this application (IA No. 7085/2020) is also rejected.

List for final hearing in due course as per listing policy