

(2024) 01 MP CK 0040

In the Madhya Pradesh High Court

Case No : Criminal Appeal No. 193 Of 2024

Parmanand Verma And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 04-01-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 389
Indian Penal Code, 1860 — Section 34, 325

Citation : (2024) 01 MP CK 0040

Hon'ble Judges : Prem Narayan Singh, J

Bench : Single Bench

Advocate : Juned Ahmed Khan, Rajesh Joshi

Judgement

Prem Narayan Singh, J

1. Heard on the question of admission.
2. Appeal is admitted for hearing.
3. Also heard on I.A. No.102/2024, which is an application filed under Section 389 of the Criminal Procedure Code, 1973 for suspension of sentence on behalf of appellants.
4. The appellant no.2 has been convicted for offence under Sections 325 of IPC (2 counts), appellants no.1 and 3 under Section 325/34 of IPC (2 counts), sentenced to undergo 3-3 Years R.I. each (on each count) with fine of Rs.1,000/- each (on each count) and usual default stipulations.
5. Learned counsel for the appellants submitted that the learned trial Court has already suspended the jail sentence of the appellants till 16.01.2024. He further submitted that final hearing of this appeal is likely to take sufficient long time. Under these circumstances, learned counsel prays that the application for suspension of sentence of the appellants be allowed.
6. Learned counsel for the State opposed the prayer and prayed for dismissal of

the application for suspension of sentence.

7. Looking to the facts and circumstances of the case, contention of learned counsel for the appellants, the short sentence of the appellants and the fact that the trial Court has already suspended the jail sentence of the appellants, without commenting on the merits of the case, the application is allowed and it is directed that subject to depositing the fine amount, if already not deposited, the appellants shall be released on bail, on furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each with a solvent surety each in the like amount to the satisfaction of Trial Court, for their appearance before the Registry of this Court firstly on 05.03.2024 and on such other dates, as may be fixed by the Registry in this regard, till final disposal of this appeal.

8. Accordingly, the application stands allowed and disposed off.

9. Let the record of the Court below be called for.

10. List the matter for final hearing in due course.