
(2022) 02 MP CK 0135

In the Madhya Pradesh High Court

Case No : Criminal Revision No. 528 Of 2022

Pradeep Parmar And Others

APPELLANT

Vs

State Of M.P

RESPONDENT

Date of Decision : 17-02-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 397(1)
Indian Penal Code, 1860 — Section 323, 325

Citation : (2022) 02 MP CK 0135

Hon'ble Judges : Sunita Yadav, J

Bench : Single Bench

Advocate : Satyam Agrawal, Ranjana Agnihotri

Final Decision : Allowed

Judgement

Sunita Yadav, J

Heard on I.A. No.2755/2022, which is an application under Section 397 (1) of Cr.P.C. for suspension of sentence and grant of bail to the applicants

Pradeep Parmar and Shriprasad.

The revision has been preferred by the applicants under Section 397(1) of the Cr.P.C. against the impugned judgment dated 3.02.2022 delivered in

Cr.A.No.188/2019 by learned Ist Additional Sessions Judge, Ashta, District Sehore (M.P.) convicting the applicants for the offences punishable under

Sections 325 of IPC and sentencing them to undergo R.I. for three months with fine of Rs.5,000/- and under Section 323 of IPC along with fine of Rs.

1,000/-, with default stipulation.

Learned counsel for the applicants submits that applicants are innocent and they have been falsely implicated. They have remained on bail during the

trial as well as during the proceedings in the appeal. He has further submitted that the trial Court has not appreciated the evidence properly and

wrongly convicted the applicants, therefore, prays for suspension of sentence and grant of bail.

On the other hand learned Panel Lawyer for the respondent/State submits that in the light of the findings of the Courts below, the applicants should not

be granted bail and prays for its rejection.

In the light of the facts and circumstances of the case so also in view of the fact that the applicants were on bail during the trial as well as during the

pendency of appeal and have not misused the liberty, without commenting anything on the merits of the case, this Court is inclined to suspend the

further custodial sentence of the applicants till final disposal of the revision. Hence, I.A.No.2755/2022 is allowed.

It is directed that on depositing fine amount, if not already deposited and on furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five

Thousand only) each with one solvent surety each in the like amount to the satisfaction of the trial Court for their appearance before the trial Court on

28.03.2022 and all other subsequent dates as may be fixed by the trial Court in this regard. The remaining part of the execution of substantive jail

sentence of the applicants shall remain suspended and they be released on bail.

It is further directed that if the applicants are found indulged in any other criminal activity during suspension of their jail sentence, the bail granted in

this case shall stand cancelled.

Jail authorities and State are directed to follow the guidelines issued by the Ministry of Health/State/Center in the wake of widespread of Novel

Corona Virus (COVID-19) before and after release of the applicant from the jail.

List the case for final hearing in due course.

Certified copy as per rules.