
(2019) 02 RAJ CK 0209

In the Rajasthan High Court

Case No : Suspension Of Sentence(Appeal) No. 98 Of 2019

Sayri W/o Sh. Ambadas And Ors

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 21-02-2019

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 389

Citation : (2019) 02 RAJ CK 0209

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Vineet Jain, O.P. Rathi

Final Decision : Disposed off

Judgement

Heard learned counsel for the appellants and learned public prosecutor on Application for Suspension of Sentence.

Having considered the totality of facts and circumstances of the case and keeping in view the fact that the appellants were on bail during the trial, I consider it just and proper to suspend the substantive sentence awarded to the accused appellants.

Accordingly, the bail application filed by the appellant under Sec.389 Cr.P.C. is allowed and it is ordered that the substantive sentence passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act Cases, Rajsamand vide judgment dated 16.01.2019 in Sessions Case No.02.2016 (C.I.S. No.1/2016) against the accused-appellants (1) Sayri W/o Ambadas, (2) Pani Bai W/o Prakashdas, (3) Shugna W/o Prabhudas, (4) Pani Bai w/o Dinesh Das and (5) Vadami Bai W/o Sh. Gordhandas shall remain suspended till final disposal of the aforesaid appeal provided each of them executes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before this court on 25.03.2019 and whenever ordered to do so till the disposal of the appeal on the conditions

indicated below:-

1. That they will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the appellants change the place of residence, they will give in writing their changed address to the trial Court as well as to the counsel in the High Court.
3. Similarly, if the sureties change their addresses, they will give in writing their changed address to the trial Court.

The learned trial Court shall keep the record of attendance of the accused-appellants in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused-appellants 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 accused-appellants does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.