

(2023) 09 MP CK 0045

In the Madhya Pradesh High Court

Case No : Criminal Appeal No. 11431 Of 2023

Shivendra Singh Baghel And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 06-09-2023

Acts Referred:

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

Citation : (2023) 09 MP CK 0045

Hon'ble Judges : Achal Kumar Paliwal, J

Bench : Single Bench

Advocate : Sanjeev Kumar Singh, Shanti Tiwari

Judgement

Achal Kumar Paliwal, J

Heard on admission.

Appeal is admitted for final hearing.

Record of the Court below be requisitioned.

Heard on I.A. No. 21528/2023 an application under Section 389(1) of the Cr.P.C. for suspension of remaining jail sentence and grant of bail to appellants arising out of judgment dated 28.08.2023 delivered in S.T. No.217/2018 by learned Sessions Judge, Rewa, District-Rewa.

The appellants have been convicted under Section 392 of IPC and sentenced to undergo R.I. for 2 years with fine of Rs.5,000/- each with default stipulation.

Learned counsel for the appellants submits that appellants have been released on bail till 27.09.2023 by the trial Court. The final hearing of this appeal is not possible in near future. Thus, it has been prayed that remaining jail sentence of appellants may be suspended and they be released on bail.

The prayer is opposed by learned counsel for the State.

Considering the short period of sentence and contention of learned counsel for the appellants, I deem it proper to suspend the remaining jail sentence of the appellants. Accordingly, aforesaid I.A. is allowed.

Subject to depositing the fine amount, if not already deposited, the remaining jail sentence of the appellants-Shivendra Singh Baghel and

Pankaj Dubey is hereby suspended and it is directed that they be released on bail on their furnishing a personal bond for a sum of Rs.30,000/- (Rupees thirty thousand only) each with one solvent surety of the like amount to the satisfaction of the trial court with a further direction to appear before the concerning trial court on 06.11.2023 and also on such other dates, as may be fixed by the trial court in this regard during the pendency of this appeal.

List the case for final hearing in due course.

C. c. as per rules.