

Nathulal Vs State Of Rajasthan

Court: Rajasthan High Court

Date of Decision: Feb. 20, 2020

Acts Referred: Code Of Criminal Procedure, 1973 " Section 389

Hon'ble Judges: Vijay Bishnoi, J

Bench: Single Bench

Advocate: Ankit Prakash Singh, Shrawan Bishnoi

Final Decision: Allowed

Judgement

Heard learned counsel for the parties on suspension of sentence application (appeal).

Having considered the totality of facts and circumstances of the case, I consider it just and proper to suspend the substantive sentence awarded to the

accused petitioner.

Accordingly, this suspension of sentence application (appeal) filed under Sec.389 Cr.P.C. is allowed and it is ordered that the substantive sentence

passed by the trial court vide judgment dated 24.01.2020 in Sessions Case No.18/2019 against petitioner Nathulal S/o Pratap shall remain suspended

till final disposal of the aforesaid appeal, provided he 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 his appearance in this court on 19.03.2020 and whenever ordered to do so, till the disposal of the appeal on

the conditions indicated below:-

1. That he will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the petitioner changes the place of residence, he will give in writing his changed address to the trial Court as well as to the counsel in the

High Court.

3. Similarly, if the sureties change their address, 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-petitioner in a separate file. Such file be registered as Criminal Misc. Case

related to original case in which the accused-petitioner 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 said accused-petitioner does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of

bail.