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## Chandarsingh And Others Vs State Of Madhya Pradesh

### Criminal Appeal No. 4616 Of 2023

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**Court:** Madhya Pradesh High Court (Indore Bench)

**Date of Decision:** April 1, 2023

**Acts Referred:**

Code Of Criminal Procedure, 1973 & Section 389(1)#Indian Penal Code, 1860 & Section 34, 325, 341

**Hon'ble Judges:** Vijay Kumar Shukla, J

**Bench:** Single Bench

**Advocate:** Arvind Kumar Sharma, Viraj Godha

**Final Decision:** Allowed

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### Judgement

Vijay Kumar Shukla, J

Heard on I.A No.4601 of 2023 which is first application under Section 389(1) of Cr.P.C for suspension of jail sentence of appellant No.1

Chandarsingh, No.2 Mohansingh and No.3 Ishwarsingh.

The present appellants have been convicted under Section 325/34 & 341 of IPC and sentenced to undergo 2 years RI and till rising of Court with fine

of Rs.2000/- & Rs.500/- with default stipulation.

Learned counsel for the appellants submits that after conviction the sentence of the appellants have already been suspended by the trial Court. It is

further submitted that there is no likelihood of hearing of appeal in near future. Hence, counsel prayed that application for suspension of sentence be

allowed.

Learned counsel for the State on the other hand has opposed the application and prays for its rejection.

O n due consideration of the submissions made on behalf of the appellants and looking to the fact that the jail sentence of the appellants is already

suspended and the final hearing of the appeal may take time, it would be appropriate to suspend the jail sentence of the appellants.

Accordingly, I.A No.4601 of 2023 filed on behalf of appellants is allowed. The appellants be enlarged on bail on their furnishing personal bond in the

sum of Rs.50,000/- (Rupees Fifty Thousand only) each with separate solvent surety of the same amount to the satisfaction of the trial Court, for their

appearance before the Registry of this Court on 28.08.2023 and thereafter, on such other subsequent dates as may be fixed in that behalf.

List after receipt of the record.

CC as per rules.