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**(2023) 07 MP CK 0054**

**Madhya Pradesh High Court (Gwalior Bench)**

**Case No:** Criminal Appeal No.8780 Of 2023

Anil Singh And Others

APPELLANT

Vs

State Of Madhya  
Pradesh

RESPONDENT

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**Date of Decision:** July 11, 2023

**Acts Referred:**

- Indian Penal Code, 1860 - Section 120B, 420
- Code Of Criminal Procedure, 1973 - Section 389(1)

**Hon'ble Judges:** Deepak Kumar Agarwal, J

**Bench:** Single Bench

**Advocate:** Satendra Singh Sikarwar, Rohit Shrivastava

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### **Judgement**

Deepak Kumar Agarwal, J

Heard on admission.

Being arguable, appeal is admitted for final hearing.

Record of the trial Court be called for.

Also heard on IA.No.12491 of 2023, 1st application u/Sec. 389(1) of Cr.P.C. for suspension of sentence and grant of bail filed on behalf of appellants.

Vide judgment dated 16th June, 2023 passed by the 17th Additional Sessions Judge, Gwalior, in S.T.No.37/2021 appellants have been convicted under

Sections 420 and 120-B of IPC with maximum sentence of 3 years RI.

Learned counsel for the appellants submits that sentence of the appellants has already been suspended by the trial Court till 15.7.2023. They have

deposited the amount of fine. The appellants have a good case on merits and hearing of the appeal will take time. Hence, prayed for suspension of jail

sentence and grant of bail.

Learned counsel for the State opposed the application and prayed for its rejection.

Considering the facts and circumstances of the case, but without commenting upon merits of the case, IA is allowed and it is directed that jail

sentence of appellants will remain under suspension subject to verification that amount of fine has been deposited, on appellants' furnishing bail bond of

Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one solvent surety each of the like amount to the satisfaction of concerned Trial Court

for appearance before the Principal Registrar of this Court on 18th December, 2023 and on such further dates as may be fixed by the office in this

regard till disposal of the appeal.

Certified copy as per rules.