

Jagdish vs The State Of Madhya Pradesh on 22 November, 2024

Author: Vishal Dhagat

Bench: Vishal Dhagat

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
CRA No. 12795 of 2024
(JAGDISH AND OTHERS Vs THE STATE OF MADHYA PR)

Dated : 22-11-2024

Shri R. K. Bisen - Advocate for appellants.

Shri Amit Kumar Sharma - Government Advocate for respon

Registry is directed to call for records from the trial Court.

2. Appellants have filed I.A. No.29994/2024 under Section 430 of Bhartiya Nagrik Suraksha Sanhita, 2023 for suspension of jail sentence and grant of bail.

3. Appellants have been convicted under Sections 420, 120-B, 406 of IPC, Section 3/4 of Inami Chit Aur Parichalan Scheme (Pabandi) Adhiniyam, 1978 and Section 6 of M.P. Niveshako Ke Hito Ka Sanrakshan Adhiniyam, 2000 and sentenced to undergo R.I. for 3 years with fine of Rs.1,00,000/-, R.I. for three years with fine of Rs.1,00,000/-, R.I. for three years with fine of Rs.45,000/-, R.I. for three years with fine of Rs.5,000/- and R.I. for three years with fine of Rs.1,00,000/- respectively with default stipulations.

4. It is submitted by counsel for the appellants that appellants have been sentenced for fixed short term sentence and there is no likelihood of hearing of appeal in near future. Sentence of appellants is already suspended by trial Court upto 06/12/2024 enabling them to file appeal before this Court. Appellants have not misused the liberty granted to them by trial Court. On said grounds, he prayed that appellants may be released on bail and jail sentence may be suspended.

5. Learned Government Advocate opposed the application for suspension of sentence.

2 CRA-12795-2024

6. Considering the facts and circumstances of the case and looking to fixed and short term sentence and the fact that hearing of appeal is likely to take some long time, application for suspension of sentence is allowed.

7. It is hereby directed that the sentence awarded to appellants shall remain suspended during the pendency of this appeal and they shall be released on bail on their furnishing a personal bond in the sum of Rs.50,000/- (Rs. Fifty Thousand Only) each with one solvent surety bond each of the like amount to the satisfaction of the trial Court for their appearance before the Registry of this Court on 10.02.2025 and on other dates as may be fixed in this regard till final disposal of this appeal.

8. List the matter for admission alongwith record in week commencing 06/01/2025.

Certified copy as per rules.

(VISHAL DHAGAT) JUDGE as