HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Misc. Suspension Of Sentence Application

No. 1811/2025

IN

D.B. Criminal Appeal No.311/2025
CNR: RJHC020757682025 | URN: SOSA / 3509U / 2025

1. Ambalal Gurjar Son Of Shri Ramdhan, Aged About 39 Years, Resident Of Village Arawadi, Dabra Ki Dhani, Police Station Bassi, Jaipur East. (At Present Accused-Appellant Confined In Central Jail, Jaipur)
2. Kanaram Son Of Shri Ganesh Gurjar, Aged About 63 Years, Resident Of Village Arawadi, Dabra Ki Dhani, Police Station Bassi, Jaipur East. (At Present Accused-Appellant Confined In Central Jail, Jaipur)
3. Kaluram Gurjar Son Of Shri Ramdhan, Aged About 33 Years, Resident Of Village Arawadi, Dabra Ki Dhani, Police Station Bassi, Jaipur East. (At Present Accused-Appellant Confined In Central Jail, Jaipur)

----Petitioners

Versus

State Of Rajasthan, Throug P.p.

----Respondent

For Petitioner(s)	:	Mr. Manish Gupta. Mr. Bhisma Kumar Singh.
For Respondent(s)	:	Mr. Amit Kumar Punia, Additional Government Advocate.
For Complainant(s)	:	Mr. Deepak Sharma.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

25/08/2026

1. This suspension of sentence application has been filed by the applicants along with the appeal.

2. Counsel for the appellants has annexed the certificate under Rule 311 (3) of the Rajasthan High Court Rules to the effect that during trial, the appellants were on bail and the sentence of life imprisonment has been awarded to the appellants No.1 & 2 under Section 302/34 of IPC and the applicant No.3 under Section 302 of IPC and they are in judicial custody at Central Jail, Jaipur. He further submits that the applicants have been falsely implicated in this matter. He further submits that the cross FIR has also been lodged by the applicants against the complainant party and it is a case of a sudden fight occurred due to a dispute regarding the measurement of the boundaries of their respective fields. He further submits that hearing of appeal may take long time and prayed that sentence awarded to the applicants may be suspended and they be released on bail during the pendency of the appeal.

3. Learned Additional Government Advocate assisted by counsel for the complainant have opposed the application for suspension of sentence.

4. We have heard counsel for the parties and perused the record.

5. Considering the facts and circumstances of the present case and also considering the fact that the cross FIR has been lodged by the applicants against the complainant party and it is a case of sudden fight and all the applicants were on bail during trial and hearing of appeal may take long time, we deem it just and proper to allow this criminal miscellaneous suspension of sentence application.

6. In that view of the matter, this criminal miscellaneous suspension of sentence application is allowed and it is ordered that execution of sentence awarded to the applicants shall remain suspended during the pendency of the criminal appeal and the applicants be admitted to bail subject to satisfaction of the trial Court with the stipulation that they shall appear before this Court on 29.09.2026 and thereafter as and when called upon to do so.

7. Office is directed to send a copy of this order to the concerned trial Court through e-mail/fax for necessary compliance.

(SANDEEP TANEJA),J (INDERJEET SINGH),J

12/MG