

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B. CRIMINAL MISC. SUSPENSION OF SENTENCE (BAIL)
APPLICATION NO.93/2018

IN

S.B. Criminal Revision No. 307 / 2018

Vimal Kumar Agrawal S/o Shri Radhey Shyam Agrawal, R/o 55,
Geeta Path, Suraj Nagar (Paschim), Civil Lines, Jaipur.

----Petitioner

Versus

1. State of Rajasthan Through P.P.

2. Krishna Kumar Bansal S/o Harakchand Bansal, R/o 241,
Himmat Nagar, Gopalpura, Jaipur.

----Respondents

For Petitioner(s) : Mr. P.L. Hissaria

For Respondent(s) : Mr. V.S. Godara, PP

Mr. N.L. Agarwal, for the respondent No.2.

HON'BLE MR. JUSTICE DEEPAK MAHESHWARI

Order

28/02/2018

Heard learned counsel for both sides on SOS application.

Accused-petitioner has been convicted for the offences under Section 138 N.I. Act and awarded sentence of simple imprisonment for one year alongwith fine of Rs.30,00,000/-.

Learned counsel for the petitioner submits that the petitioner is in custody since 21.2.2018. He submits that both the parties are related to each other and the dispute has arisen out of the partnership business being run by them.

Without commenting upon the merits of the case, I

deem it just and proper to suspend the sentence awarded to the accused-petitioner.

Accordingly, the bail application for suspension of sentence is allowed and it is ordered that the sentence passed by learned trial court and affirmed by the learned Special Judge (CBI cases), No.4, Jaipur vide his judgment dated 21.02.2018 passed in Criminal Appeal No.109/2017 (759/2014) against the accused-petitioner Vimal Kumar Agarwal S/o Shri Radhey Shyam Agarwal shall remain suspended till final disposal of present revision petition provided he executes a personal bond in the sum of Rs.50,000/- along with two sureties in the sum of Rs.25,000/- each to the satisfaction of the trial court for his appearance in this Court on 28.03.2018 and, as and when called upon to do so and with the condition that 50% of the cheque amount i.e. Rs.8,50,000/- shall be deposited in a form of FDR in the name of trial Court within a period of ten days from today by the accused-petitioner.

(DEEPAK MAHESHWARI)J.

Anand 88

सत्यमेव जयते