

ITEM NO.24                      Court 6 (Video Conferencing)                      SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).539/2020

(Arising out of impugned interim order dated 22-10-2019 in IA No.18729/2019 passed by the High Court Of M.P. Principal Seat At Jabalpur)

GAURAV @ DEEPAK ARYA

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ANR.

Respondent(s)

(With applns for exemption from filing affidavit, exemption from filing O.T.)

Date : 04-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s)      Mr. Pradeep Agarwal, Adv.  
                                    Mr. Lal Pratap Singh, Adv  
                                    Ms. Ruchi Kohli, AOR

For Respondent(s)      Mr. V.V.V.M.B.N.S. Pattabhiram, Dy. A.G.  
                                    Mr. Arjun Garg, AOR  
                                    Rati Tandon, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

This Special Leave Petition is filed against the order dated 22.10.2019 passed by the High Court of Madhya Pradesh dismissing I.A. No.18729 of 2019 filed for suspension of sentence. The petitioner was convicted under Sections 366 and 376 (2)(n) of IPC and sentenced to 10

years imprisonment. The appeal filed against the conviction and sentence is pending before the High Court of Madhya Pradesh. The High Court refused to suspend the sentence on the ground that there is sufficient evidence against the petitioner on the basis of which he was convicted.

We are informed by the learned counsel for the petitioner that he has already undergone 2 years and 4 months sentence.

Heard the leaned counsel for the State and perused the material on record. We are of the opinion that this is a fit case for grant of suspension of sentence of the petitioner.

The petitioner is directed to be released on bail subject to the satisfaction of the trial Court.

The Special Leave Petition stands disposed of.

Pending application(s), if any, shall stand disposed of.

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Court Master