



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). _____ /2025
(Arising out of SLP(CrI.) No(s).7967/2025)

XYZ APPELLANT(s)

VERSUS

STATE OF CHHATTISGARH RESPONDENT(s)

O R D E R

Leave granted.

Learned counsel for the appellant submitted that the appellant has been convicted by the Additional Sessions Judge, FTC (POCSO), Dhamtari, C.G. vide judgment of conviction and sentence dated 21.10.2024. He has preferred his Criminal Appeal before the High Court in CRA No.2109/2024. In the said C.R.A. No.2109/2024, an IA 1/2024 was filed seeking suspension of sentence and grant of bail. By the impugned order dated 24.04.2025, the High Court has refused to grant the relief sought for by the appellant herein.

The learned counsel for the appellant submitted that the appellant has been sentenced to ten years' rigorous imprisonment and with fine. The appellant was a juvenile at the time of the incident just as the victim was a minor; there was a friendly relationship between the parties, however, the appellant has been convicted; he has a good case on merits and he has been in jail for the last nine months. Having regard to the fact that the appeal is of the year 2024, it would inevitably take a long time to be heard and disposed by the High Court. Hence, the relief of suspension and sentence of bail may be granted to the appellant herein by setting aside the impugned order.

Per contra, learned counsel for the respondent-State with reference to her counter affidavit contended that there is no merit in this appeal; that the conviction has been rightly made by the Trial Court; in fact, the sentence is lower and as such he has been granted relief by the concerned Special Court. The High Court was justified in dismissing his application for grant of suspension of sentence by dismissing his application. Therefore, this appeal may be simply dismissed.

The detailed narration of facts and contentions would not call for any reiteration. We find that the appellant was below eighteen years and was a juvenile in conflict with law at the time when the offence occurred. The victim was also a minor. However, taking note of the facts and circumstances of this case in a holistic way, we find that the relief of suspension of sentence and grant of bail has been wrongly refused by the High Court.

In the circumstances, we set aside the order of the High Court and grant the relief of bail to the appellant herein. The appellant has been in jail for the last nine months. He shall be produced before the concerned Special Court at the earliest.

The appellant shall not misuse his liberty in any manner.

Any infraction of the conditions shall entail cancellation of bail granted to the appellant.

Appellant shall not try to contact the victim in any manner whatsoever and in any mode whatsoever.

With these observations, the Criminal Appeal is allowed.

....., J.
(B.V. NAGARATHNA)

....., J.
(SATISH CHANDRA SHARMA)

NEW DELHI;
MAY 29, 2025

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 (Crl.) No(s). 7967/2025
[Arising out of impugned final judgment and order dated 24-04-2025
in CRA No. 2109/2024 passed by the High Court of Chhatisgarh at
Bilaspur]

XYZ

Petitioner(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

Date : 29-05-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
(PARTIAL COURT WORKING DAYS BENCH)

For Petitioner(s) Mr. Siddhartha Iyer, AOR
Mr. Chhatresh Kumar Sahu, Adv.

For Respondent(s) : Ms. Ankita Sharma, Adv.
Mr. Arjun D. Singh, Adv.

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

Leave granted.

The Criminal Appeal is allowed in terms of the signed
order which is placed on the file.

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

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)