



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. OF 2026
(@ SLP (CRL.) NOS. /2026)
(@ DIARY NO. 69384/2025)

SUKHCHAIN

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

O R D E R

1. Leave granted.
2. These appeals arise from the orders passed by the High Court of Madhya Pradesh at Jabalpur, dated 29/01/2025 in I.A. No.29573 of 2024 filed in CRA No.11856 of 2024 and I.A. No.11573/2025 in CRA No.11856/2023 by which the interim application filed by the appellant herein seeking suspension of the substantive order of the sentence passed by the Trial Court came to be rejected.
3. It appears from the materials on record that the appellant herein was put to trial in the

**Court of Sessions Judge, Jabalpur, District
Jabalpur, State of Madhya Pradesh for the
offence punishable under Sections 489-A and
489-D of the Indian Penal Code (for short,
the "IPC").**

4. The Trial Court held the appellant guilty of the offences enumerated above and sentenced him to undergo rigorous imprisonment for a period of seven years with fine of Rs.100.
5. Being dissatisfied with the judgment and order of conviction passed by the Trial Court, the appellant went in appeal before the High Court. His appeal has been admitted. Pending the final disposal of the appeal, he prayed that the substantive order of sentence passed by the Trial Court may be suspended and he be released on bail. The High Court declined to suspend the substantive order of sentence.
6. In such circumstances referred to above, the

appellant is here before us with the present appeals.

7. We heard Mr. S.K. Gangele, the learned Senior counsel appearing for the appellant-convict and Mr. Sarthak Raizada, the learned counsel appearing for the State of Madhya Pradesh.
8. We are thoroughly disappointed with the impugned order passed by the High Court. We say so for two good reasons. First, the impugned order passed by the High Court could be said to be a non-speaking order. The plain reading of any order should reflect what exactly weighed with the court in passing such order. Secondly, the High Court has failed to apply the settled principles of law while considering the plea for suspension of the substantive order of sentence of a fixed term passed by the trial court.
9. There are two types of sentences that the Trial Court can impose depending on the

nature of the offence. Some orders of sentence are for a fixed term, unlike the order of sentence of life imprisonment.

10. The case in hand is one of a fixed term of sentence. The maximum punishment that has been imposed is 7 years.
11. Way back in 1999, this Court in *Bhagwan Rama Shinde Gosai and Others v. State of Gujarat* reported in (1999) 4 SCC 421 stated that when a convicted person is sentenced to a fixed period of sentence and when he files an appeal under any statutory right, suspension of sentence should be considered by the Appellate Court liberally unless there are exceptional circumstances.
12. Similarly, when the sentence is life imprisonment, the consideration for suspension of sentence could be of a different approach.
13. The learned counsel appearing for the State very fairly submitted that he would leave it

to the Court to pass an appropriate order.

14. We need not say anything further as the criminal appeal is pending before the High Court.
15. In the result, the appeals succeed and are hereby allowed. The impugned orders passed by the High Court are set aside.
16. The appellant is ordered to be released on bail subject to the terms and conditions that the Trial Court may deem fit to impose.
17. Pending applications, if any, shall stand disposed of.

.....J.
(J.B. Pardiwala)

.....J.
(K. V. Viswanathan)

NEW DELHI;
JANUARY 05, 2026.

ITEM NO.27

COURT NO.7

SECTION II-E

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).
69384/2025

[Arising out of impugned final judgment and order dated 29-01-2025 in IA No. 29573/2024 21-07-2025 in IA No. 11573/2025 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

SUKHCHAIN

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

FOR ADMISSION and I.R.

IA No. 315961/2025 - CONDONATION OF DELAY IN
FILING

IA No. 315957/2025 - EXEMPTION FROM FILING C/C OF
THE IMPUGNED JUDGMENT

IA No. 315960/2025 - EXEMPTION FROM FILING O.T.

Date : 05-01-2026 This matter was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. S.k.gangele, Sr. Adv.
Ms. Priya Sharma, Adv.
Ms. Ritu Gangele, Adv.
Mr. Shrey Ravi Dambhare, AOR
Mr. Mohd Fahad, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made
the following

O R D E R

The Criminal Appeals are allowed in terms of
the signed order.

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

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order is placed on file)