



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



D.B. Criminal Misc. Suspension of Sentence Application No.
82/2026

In

D.B. Criminal Appeal No.426/2025

1. Satyapal Singh Alias Satpal S/o Shri Mangelal, Resident Of
Undera, Police Station Fatehpur Sikri, District Agra (Uttar
Pradesh)

----Accused Appellant

Versus

The State of Rajasthan, Through the PP.

----Non-Appellant

Connected With

D.B. Criminal Misc Suspension Of Sentence Application No.
2045/2025

In

D.B. Criminal Appeal No.426/2025

1. Mrs. Bhuridevi W/o Mangelal, Resident Of Undera, PS Fateh-
pur Sikri, District Agra (Uttar Pradesh). At Present In Central Jail,
Bharatpur.

----Accused Appellant

Versus

The State of Rajasthan, through the PP

----Non-Appellant

For Petitioner(s) : Mr. Darmendra Choudhary
For Respondent(s) : Mr. Rhishi Raj Singh Rathore, P.P. with
Ms. Neha Goyal
Mr. Vinod Sharma

**HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL
HON'BLE MR. JUSTICE SAMEER JAIN**

Judgment / Order

04/02/2026



These suspension of sentence applications under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed by the accused-applicants (for brevity, "the applicants") alongwith the appeal. The applicants have been convicted and sentenced by the learned Additional Sessions Judge (Women Harassment Cases), Bharatpur (Raj.) vide judgment dated 12.09.2025 passed in Sessions Case No.05/2020 (CIS No.27/2020) as under:-

1. Under Section 498-A IPC: Three years' rigorous imprisonment and fine of ₹5,000/- each in default thereof, three months' additional simple imprisonment.

2. Under Section 302 IPC: Life imprisonment and fine of ₹20,000/- each in default thereof, six months' additional simple imprisonment.

Learned counsel for the applicants, inviting attention of this Court towards the dying declaration dated 03.06.2019 (Exhibit P-11), would submit that therein, the deceased has levelled no allegation against them either of harassment on account of demand of dowry or of setting her on fire. He submits that from the prosecution testimony, it is not established that the applicant-Smt. Bhuridevi was present at the time of incident. Learned counsel submits that they were on bail during trial and prays that the substantive sentence awarded to them be suspended during pendency of the appeal.

Per contra, learned Public Prosecutor opposed the prayer and prays for dismissal of the applications.

Heard. Considered.

Indisputably, the deceased has died unnatural death within a period less than two years from the date of her marriage. While





recording conviction of the appellants under Sections 498-A and 302 IPC, the learned trial Court has relied upon, amongst others, the dying declaration dated 14.06.2019 (Exhibit P-10) recorded by Ms. Rekha Tiwari, learned Additional Chief Judicial and Metropolitan Magistrate No. 2, Jaipur Metropolitan (PW-9), which contains specific allegations against the applicants of subjecting her to torture and harassment for demand of dowry soon before her death as also that she was set on fire by them. The learned trial Court has assigned cogent reasons for disbelieving the dying declaration (Exhibit P-11) and on perusal of the record, we do not find the same to be perverse.

In view of the specific allegations in the dying declaration (Exhibit P-10), we are not inclined to extend the benefit of suspension of sentence to them.

Accordingly, the suspension of sentence applications are dismissed.

(SAMEER JAIN),J

(MAHENDAR KUMAR GOYAL),J

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