

**CRM-14980-2018 in  
CRA-D-518-DB-2015**

**Buta Singh vs. State of Punjab**

Present: Mr. Rajiv Joshi, Advocate for the applicant/appellant.  
Ms. Manjri Nehru Kaul, Addl. Advocate General, Punjab.

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This is the third application filed by convict-Buta Singh for suspension of his sentence of imprisonment, the first two having been dismissed as withdrawn on 05.08.2016 and 13.10.2017, respectively.

The applicant, who was tried for offences punishable under Sections 376(g), 302 and 325 IPC, was acquitted by the trial Court of the charge under Section 376(g) IPC. However, while convicting him for offences under Sections 302 and 325 IPC, sentence of life imprisonment was imposed upon him.

As per the custody certificate produced by the learned State counsel, the applicant has undergone an actual period of five years, nine months and sixteen days which includes net post-conviction period of three years, one month and thirteen days.

Final hearing of the appeal is likely to take a long time. The applicant has already undergone an actual period of more than five-and-a-half years which includes post-conviction period of more than three years. Therefore, his case for suspension of his sentence of imprisonment is covered by the ratio of '**Dharam Pal v. State of Haryana**' 1999(4) RCR(Criminal) 600.

Resultantly, the application is accepted, sentence of imprisonment of applicant-Buta Singh is suspended and he is ordered to be released on bail on his furnishing appropriate bail bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

(T.P.S. MANN)  
JUDGE

(FATEH DEEP SINGH)  
JUDGE

July 19, 2018  
rps



सत्यमेव जयते

