



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(@ SLP(CRL.) No. 1516/2026)

PRAKASH MEENA

APPELLANT(S)

VERSUS

STATE OF RAJASTHAN & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. We have heard the learned counsel appearing for the appellant and the learned counsel appearing for the respondent-State.
3. The appellant has been convicted by the Trial Court for the offences punishable under Section 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'POCSO Act') and has been sentenced to undergo rigorous imprisonment for life.
4. Aggrieved by the same, the appellant has preferred a criminal appeal against the said

conviction before the High Court. The appellant further filed an application seeking suspension of sentence during the pendency of the appeal before the High Court, which was dismissed *vide* the impugned order. Hence, being aggrieved by the same, the present appeal has been preferred.

5. Learned counsel appearing for the appellant submitted that the High Court and Trial Court have not taken into consideration the statement of the prosecutrix under Section 164 of the Code of Criminal Procedure, 1973, wherein a specific implication has been made against one 'Shankar' who, for the reasons best known to the prosecution, has not been even arrayed as an accused in the present case.
6. Learned counsel appearing for the State, submitted that the aforesaid statement will not absolve the appellant from the alleged offence, and, therefore, there is no need for interference with the impugned order.
7. In the counter affidavit filed in para 11, the following has been stated:-

11. It is further submitted that the survivor's statement was taken

under Section 164 of the Code of Criminal Procedure wherein, she stated she was going to the market to buy ghee when a boy (the Petitioner herein) stopped his car in front of her. At that moment, her neighbor, Shankar, came from behind on a motorcycle, gagged her, and forcibly pushed her into the Petitioner's car. Shankar told the Petitioner, "You take her along, I am coming." The Petitioner then took her, beat her when she screamed, and after a stop at a mobile shop, parked at a deserted place and raped her. Crucially, she stated that later, at the police station, Shankar also came there and threatened her in front of the police officers, saying that if she or her family spoke his name, he would not let them live. He also told her that the Petitioner was his wife's brother."

8. The Trial Court did not take into consideration the said statement of the prosecutrix. Suffice it is to state, that there are arguable issues involved in the pending appeal and thus, the appellant is entitled for grant of suspension of sentence.
9. In such view of the matter, we are inclined to set aside the impugned order passed by the High Court, and suspend the sentence of the appellant till the disposal of the criminal appeal which

is pending before the High Court and grant bail to the appellant.

10. Accordingly, the impugned order stands set aside, and sentence awarded to the appellant stands suspended and he shall be released on bail, subject to the terms and conditions to the satisfaction of the concerned Trial Court.
11. The appeal is allowed, accordingly.
12. Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;
25th MARCH, 2026

ITEM NO.4

COURT NO.5

SECTION II-D

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).
1516/2026

[Arising out of impugned final judgment and order
dated 15-10-2025 in DBCRMSB(SOS)A No. 1390/2025
passed by the High Court of Judicature for Rajasthan
at Jaipur]

PRAKASH MEENA

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ANR.

Respondent(s)

Date : 25-03-2026 This petition was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. Namit Saxena, AOR

For Respondent(s) Mr. Saurabh Rajpal, Adv.
Mr. Vinay Kumar Singh, Adv.
Ms. Nidhi Jaswal, AOR

UPON hearing the counsel the Court made the
following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

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

(SWETA BALODI)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
ASSISTANT REGISTRAR

(Signed order is placed on the file)