HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 2677/2026
CNR: RJHC020146562026 | URN: CRLMB / 4737U / 2026

Nilesh S/o Sh. Mahendra, R/o 393/9, Mama Hotel, Ganj, Ajmer.

----Petitioner

Versus

The State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Neeraj Kishore Tiwari
For Respondent(s)	:	Mr. Naresh Gupta, PP Mr. Mohit Sharma for the complainant Mr. Shivlal, ASI PS Kotwali, Ajmer

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HON'BLE MR. JUSTICE BIPIN GUPTA

Order

03/08/2026

1. The present bail application has been preferred by the accused-petitioner under Section 482 of BNSS 2023, apprehending his arrest in connection with the FIR No. 177/2025 registered at Police Station- Kotwali Ajmer, District- Ajmer for the offences punishable under Section 316(2), 318(4) and 61(2) of B.N.S.,2023.

2. Learned counsel for the petitioner submits that in compliance of order dated 16.03.2026 passed by a Co-ordinate Bench of this, the petitioner has already appeared before the Investigating Officer and has been interrogated.

3. Learned counsel for the petitioner submits that the dispute is purely of a civil nature. He submits that the petitioner had disclosed to the complainant the status of the disputed property and had also informed the complainant about the existing bank

loan. He further submits that no offence has been committed by the petitioner and that he has been falsely implicated in the present case. He also submits that the complainant/victim has already instituted a suit for specific performance before the competent Civil Court. Therefore, he prays that the petitioner be enlarged on bail.

4. Learned Public Prosecutor strongly opposes the bail application.

5. The Investigating Officer, who is present in person, submits that the petitioner has been interrogated. He fairly admits that the case diary contains documentary evidence showing that, in the suit for specific performance, the Civil Court has passed an interim order restraining the petitioner from alienating the disputed property during the pendency of the suit.

6. Considering the overall facts and circumstances of the case, particularly the fact that the petitioner has already appeared before the Investigating Officer and has been interrogated, and further considering that the complainant has already instituted a suit for specific performance in respect of the disputed property, wherein the competent Civil Court has passed an interim order restraining the present petitioner from alienating the disputed property during the pendency of the suit, this Court deems it just and proper to grant the benefit of anticipatory bail to the accused-petitioner.

7. Consequently, the present anticipatory bail application filed by the accused-petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is **allowed**. It is directed that, in the event of arrest of the accused-petitioner, **Nilesh S/o Sh.**

Mahendra in connection with FIR No. 177/2025 registered at Police Station- Kotwali, District-Ajmer, he shall be released on bail, provided he furnishes a personal bond in the sum of ₹1,00,000/- (Rupees One Lakh only) along with two sound and solvent sureties in the sum of ₹50,000/- (Rupees Fifty Thousand only) each, to the satisfaction of the concerned Investigating Officer/Station House Officer, subject to the following conditions:

(i) The accused-petitioner shall make himself available for interrogation by the Investigating Officer as and when required and shall cooperate with the investigation.

(ii) The accused-petitioner shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any Police Officer.

(iii) The accused-petitioner shall not leave India without the prior permission of the Court.

(iv) The accused-petitioner is further directed not to take undue advantage of the liberty granted to him or misuse the same. It is made clear that any observations made by this Court in the present bail application are only for the purpose of deciding the instant application and shall not influence or affect the merits of the case during the course of trial.

(BIPIN GUPTA),J

159/RACHNA