HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 182/2025

Mohan S/o Rupa, Aged About 76 Years, R/o Kolar, Dhikli, P.s. Pratapnagar, Dist Udaipur (At Present Lodged At Central Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 637/2025

Rajesh S/o Gangaram, Aged About 42 Years, R/o Tulsida Ji Ki Saray, Near Father School Dabok, P.s. Dabok, Dist Udaipur (At Present Lodged At Central Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 638/2025

Dineshchandra S/o Motilal, Aged About 35 Years, R/o Meghwalo Ka Mohalla, Behind School, Shobaghpura, P.s Sukher Dist Udaipur (Raj) (Presently Lodged In Dist Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Abhishek Charan Mr. Tushar Moad
For Respondent(s)	:	Mr. Shrawan Singh Rathore, PP Mr. Sudhir Saruparia for complainant

---

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

28/01/2025

These applications for bail under Section 439 Cr.P.C. (483 BNSS) have been filed by the petitioners who have been arrested in connection with F.I.R. No.622/2024 registered at Police Station Pratap Nagar, District Udaipur for the offences punishable under Sections 318(4), 338, 336(4), 340(2), 319(2) and 61(2) of BNS.

Heard learned counsel for the parties at Bar. Perused the material available on record.

As per the prosecution, the petitioners got registered land belonging to the petitioner fraudulently in the name of one Dev Prasad. The further allegation against the present petitioners is that they had deposited a sum of Rs.25,00,000/- and a cheque of Rs.20,00,000/- in the bank account of the complainant without his knowledge and without his permission. The complainant came to know about illegal activities of the petitioners when the cheque amounting to Rs.20,00,000/- got dishonored.

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case. A pure case of civil nature has been given the colour of criminal offences by the petitioners. The offences alleged to have been committed by the present petitioners are triable by Magistrate.

Lastly, learned counsel for the petitioners submitted that the petitioners are in judicial custody and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioners.

Per contra, learned Public Prosecutor and learned counsel for the complainant have vehemently opposed the bail applications.

Having considered the rival submissions, facts and circumstances of the case, without expressing any opinion on merits/

demerits of the case, this Court is of the opinion that the bail applications filed by the petitioners deserve to be accepted.

Consequently, these bail applications under Section 439 Cr.P.C. (483 BNSS) are allowed. It is ordered that the accused-petitioners **(1) Mohan S/o Rupa, (2) Rajesh S/o Gangaram and (3) Dineshchandra S/o Motilal** arrested in connection with F.I.R. No.622/2024 registered at Police Station Pratap Nagar, District Udaipur shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for their appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

A copy of this order be placed in each file.

(KULDEEP MATHUR),J

66-68 divya/-