HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 4901/2023
CNR: RJHC020598142023 | URN: CRLMP / 9477U / 2023

Ramroop S/o Late Hargovind, Aged About 65 Years, R/o Layakpura Ki Thar, Kasiyapura, Police Station Rajakhera, District Dholpur, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Pappu S/o Kedar Singh, R/o Layakpura Ki Thar, Majra, Kasiyapura, Police Station Rajakhera, District Dholpur(Raj.)
3. Surendra S/o Kedar Singh, R/o Layakpura Ki Thar, Majra, Kasiyapura, Police Station Rajakhera, District Dholpur(Raj.)

----Respondents

For Petitioner(s)	:	Mr. Manoj Kumar Awasthi
For Respondent(s)	:	Ms. Manju Dave-Addl.G.A Mr. Dushyant Jain Mr. Udit Sapra

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JUSTICE ANOOP KUMAR DHAND

Order

23/11/2026

1. The instant criminal misc. petition is listed before this Court in pursuance of the directions issued by the Hon'ble Apex Court in the case of **Vijay Kumar and Ors. Vs. State of Rajasthan** (Petition for Special Leave to Appeal (Crl.) No. 773/2026, decided on 15.01.2026), wherein the Hon'ble Apex Court observed that in various matters, interim orders have been passed in criminal revision petitions and petitions filed under Section 482 Cr.P.C., as a result of which trial relating to serious offences such as murder,

rape, dacoity, dowry death, etc., could not proceed and remained stalled/held up due to the passage of considerable time.

2. Directions have been issued to this Court and other High Courts to take up such like matters which are pending since long, on priority and decide the same expeditiously without deferring the hearings to subsequent dates.

3. The instant criminal misc. petition has been filed by the petitioner with the following prayer:-

> "1. This Criminal misc. petition may kindly be accepted and allowed
> 2. Learned Trial Court may kindly be directed to forfeit the bail bonds of the accused respondents in FIR No. 119 dated 06.06.2020, registered at Police Station-Rajakhera, District Dholpur for the offence under Sections 147, 148, 149, 452 and 302 IPC.
> 3. Any other relief which deem fit and proper in the favour of the petitioners".

4. By way of filing the instant criminal misc. petition, the petitioner is seeking issuance of direction to the Trial Court to forfeit the bail bonds of the accused respondents in FIR No. 119/2020, registered with the Police Station Rajakhera, District Dholpur for the offences punishable under Sections 147, 148, 149, 452 and 302 IPC.

5. Learned counsel for the accused-respondents submits that the accused-respondents were not charge-sheeted by the Investigating Agency, hence, an application under Section 319 Cr.P.C. was submitted against them, whereby cognizance was taken against the accused respondents for the offences punishable under Sections 148, 149, 341, 452 and 302 IPC and they were summoned through arrest warrants. Learned counsel further

submits that being aggrieved by the aforesaid order, the respondents approached this Court by way of filing S.B. Criminal Miscellaneous Petition No. 3769/2022, wherein the Co-ordinate Bench of this Court vide order dated 07.05.2022 has quashed the portion of the summoning order whereby the accused respondents were summoned through bailable warrants and a liberty was granted to them to surrender before the Trial Court and furnish bail bonds to the satisfaction of the Court below. Counsel submits that in pursuance of the aforesaid order dated 07.05.2022, the respondents appeared before the Trial Court and were granted bail. Now, the petitioner has approached this Court by way of filing the instant criminal misc. petition, feeling aggrieved by the aforesaid order whereby the accused respondents have been released on bail.

6. This Court has perused the prayer as well as the facts mentioned in the instant criminal misc. petition.

7. It is the case of the petitioner that the petitioner is having strong apprehension that the accused respondents may repeat a serious offence in future, hence, their bail bonds are liable to be forfeited.

8. It is settled proposition of law that a petition filed on the basis of apprehension, is not maintainable unless and until there is some concrete evidence behind such apprehension, hence, the relief sought in the instant criminal misc. petition cannot be granted by this Court. This Court finds that the instant criminal misc. petition is devoid of merit, hence the same is liable to be rejected.

9. Accordingly, the instant criminal misc. petition stands dismissed. Stay application and all pending application (s), if any, also stand dismissed.

(ANOOP KUMAR DHAND),J

Crt_5/D-A/23/Ashu