

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Revision Petition No. 236/2026

Rakesh S/o Pukharam, Aged About 25 Years, Jhipasani Ps
Karwar District Jodhpur East Raj.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Dinesh Godara

For Respondent(s) : Mr. NS Chandawat, Dy.G.A.

HON'BLE MR. JUSTICE FARJAND ALI

Order

13/02/2026

1. By way of filing of the instant criminal revision petition, challenge has been made to the order dated 07.02.2026 passed by the learned Special Judge (NDPS Act Cases) No.1 District-Jodhpur Metro, in Criminal Case No.35/2026 pertaining to FIR No.186/2025 registered at Police Station Karwad, District Jodhpur whereby the prayer made by the petitioner for releasing the vehicle in question (Motorcycle) bearing registration No.RJ-19-DB-2589, has been declined.
2. Learned counsel for the petitioner submits that he is the owner of the vehicle in question which has been seized by the Police Officers. He submits that the petitioner being the owner of the vehicle in question, is the person best entitled to get back the possession of the seized property. There is no other person claiming supurdagi of the same.

3. Learned Public Prosecutor opposed the instant criminal revision petition.
4. Considering the submissions and following the judgment rendered by Hon'ble the Supreme Court in the case of *Sunderbhai Ambalal Desai Vs. State of Gujarat*, reported in AIR 2003 SC 638 and the order dated 18.11.2022 passed by the Hon'ble Supreme Court in Criminal Appeal No. 2005/2022 [SLP (Crl.) No.7280/2022) titled as *Sainaba Vs. The State of Kerala & Anr.*, wherein, the vehicle involved in a crime under NDPS Act was directed to be released on terms and conditions to be determined by the Special Court, the revision petition is allowed and this Court deems it just and appropriate to release the vehicle in question in favour of the petitioner on interim custody till conclusion of the trial provided he furnishes a Supurdaginama of Rs.50,000/- and surety of like amount to the satisfaction of the Court below.

(FARJAND ALI),J