

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

S.B. Criminal Writ Petition No. 882/2026

Vikram Singh Rathore S/o Sh. Chhug Singh, Aged About 44 Years, Plot No 169 Umaid Heritage Defence Lab Road Ratananda Jodhpur At Present Lodged In Central Jail Jodhpur Through Smt Khem Kanwar Wife Of Chhug Singh

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Director General Of Police, Rajasthan Police Headquarters Jaipur
3. Commissioner Of Police, Office Of Commissioner Of Police Jodhpur
4. Superintendent Of Jails, Central Jail Jodhpur

----Respondents

For Petitioner(s)	:	Mr. Ram Singh Rawal
For Respondent(s)	:	Mr. NS Chandawat, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

25/02/2026

1.The present writ petition has been preferred under Articles 226 and 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of interim bail to the petitioner, who is presently lodged in judicial custody.

2.It is not in dispute that the petitioner is an under-trial prisoner and has been incarcerated since September, 2019 in connection with multiple FIRs, including FIR No.32/2019 registered at the Special Organization Group, Jaipur. Over a period of time, other FIRs pertaining to the same alleged

delinquency have also been registered against him, the particulars whereof have been detailed in Annexure-1 placed on record.

3.The petitioner seeks interim release on humanitarian grounds on account of the serious medical condition of his father. It has been specifically pleaded that the father of the petitioner is suffering from acute prostate ailment requiring urgent surgical intervention. The updated MRI report and related medical documents placed on record indicate the necessity of immediate prostate surgery in view of the emergent medical condition. It is further pleaded that the proposed surgery is of a complex nature and requires the presence and assistance of the petitioner, being the son, to attend to medical formalities, post-operative care and other indispensable arrangements.

4.Learned counsel for the petitioner submits that the continued incarceration of the petitioner since 2019, coupled with the emergent medical condition of his father, warrants indulgence of this Court for a limited period. It is contended that the relief sought is purely temporary, humanitarian in character and does not touch upon the merits of the pending criminal cases.

5.Per contra, learned AGA opposes the prayer for interim bail but does not seriously dispute the medical documents placed on record. It is submitted that in the event this Court is inclined to grant any indulgence, the same may be made

subject to stringent conditions so as to safeguard the interests of justice.

6. Heard learned counsel for the petitioner and learned AGA for the State and perused the material available on record.
7. The scope of the present petition is confined to consideration of interim bail on humanitarian grounds. The petitioner is not seeking adjudication on the merits of the allegations levelled in the FIRs, nor is he seeking regular bail. The fact that multiple FIRs have been registered in relation to the same alleged series of transactions and that the petitioner has been in custody for a substantial period since September, 2019, coupled with the emergent medical condition of his father, justifies invocation of the extraordinary jurisdiction of this Court for a limited and purpose-specific relief.
8. Serious illness of a parent, particularly where immediate surgical intervention is medically advised, has consistently been recognized as a valid humanitarian ground for temporary release, subject to adequate safeguards. In the present case, the updated MRI report and accompanying medical records prima facie indicate urgency of the proposed prostate surgery. The requirement of the petitioner's presence to assist his ailing father during the surgical procedure and immediate post-operative period cannot be brushed aside, especially in the absence of any material to doubt the genuineness of the medical condition.

9. This Court is equally mindful of the nature of accusations and the multiplicity of cases pending against the petitioner. However, interim bail for a short and regulated period, subject to stringent conditions, would not prejudice the pending proceedings. The balance between individual liberty under Article 21 of the Constitution of India and the interest of the prosecution can be maintained by imposing strict safeguards.

10. Having regard to the totality of facts and circumstances, particularly the long period of incarceration and the emergent medical condition of the petitioner's father necessitating urgent prostate surgery, this Court is of the considered opinion that the petitioner deserves to be enlarged on interim bail for a limited period of 40 days from the date of his actual release.

11. Accordingly, the writ petition is allowed to the extent indicated hereinbelow. It is ordered that the petitioner shall be released on interim bail for a period of 40 (forty) days from the date of his actual release, in connection with FIR No.32/2019 registered at Special Organization Group, Jaipur and other connected FIRs detailed in Annexure-1, subject to the following conditions:

(a) The petitioner shall furnish a personal bond in the sum of ₹1,00,000/- (Rupees One Lakh only) with two sureties of ₹50,000/- (Rupees Fifty Thousand only) each, to the satisfaction of the concerned Superintendent Of Jail, Central Jail.

(b) The petitioner shall be released solely for the purpose of attending to his father's medical treatment and the proposed prostate surgery and related post-operative care.

(c) The petitioner shall not misuse the liberty granted to him and shall not attempt to influence any witness or tamper with evidence in any manner.

(d) The petitioner shall surrender before the concerned jail authority immediately upon expiry of the interim bail period of 40 days, without fail.

(e) In case of breach of any of the above conditions, the State shall be at liberty to move an appropriate application for cancellation of interim bail.

12.It is made clear that the grant of interim bail is purely temporary and on humanitarian grounds and shall not be construed as an expression on the merits of the case(s) pending against the petitioner.

(FARJAND ALI),J