

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

S.B. Criminal Misc(Pet.) No. 2062/2025

Bhatta Ram S/o Sh. Prabhu Ram, Aged About 22 Years, R/o
Bithuja, Teh. Pachpadra, Dist. Balotra.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

Connected With

S.B. Criminal Misc(Pet.) No. 6370/2023

Rajendra Bapediya S/o Shri Ramnivas, Aged About 40 Years, B/c
Jaat R/o Talnapur Dist. Nagour Raj.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Misc(Pet.) No. 2003/2025

Hindu Singh S/o Shri Mohan Sinmgh, Aged About 48 Years, R/o
Gaderi, Bhopalgarh, Dist. Jodhpur. Currently R/o Sangariya, Dist.
Jodhpur (Raj.)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Misc(Pet.) No. 2008/2025

Lakhan Choudhary S/o Kanhaiya Lal Choudhary, Aged About 26
Years, R/o Sadar Bazaar, Village Danthal, Dist. Bhilwara (Raj.)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Misc(Pet.) No. 2011/2025

Rajendra Singh S/o Madhusingh, Aged About 40 Years, R/o
Samdadi, District Balotra (Raj)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Misc(Pet.) No. 2012/2025

Kushal Singh S/o Shri Hindu Singh, Aged About 21 Years, R/o
Gaaderi, Bhopalgarh, Dist. Jodhpur. Currently R/o Sangriyo, Dist.
Jodhpur (Raj.)



----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Misc(Pet.) No. 2066/2025

Bhanwarram S/o Hamirram, Aged About 30 Years, R/o Labaro Ka Baas, Lawera Kalla, Bawri, Dist. Jodhpur, Raj.

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Misc(Pet.) No. 2075/2025

Nimbaram S/o Durgaram, Aged About 28 Years, Lawera Kalla, Distt. Jodhpur (Raj.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Misc(Pet.) No. 2077/2025

Kuldeep Singh S/o Tulsaram, Aged About 28 Years, Devliyali, Tehsil Samdadi, Distt. Balotra (Raj.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Misc(Pet.) No. 2564/2025

1. Rameshwar Gurjar S/o Sh. Mohan, Aged About 36 Years, R/o Patliyas, Pipli, Dist. Bhilwara, Raj.
2. Madan Gurjar S/o Lt. Narayan Lal Gurjar, Aged About 31 Years, R/o House No. 31, Gurjar Mohalla, Hansiya, Dist. Bhilwara, Raj.
3. Kailash Chandra Jat S/o Nandram Jat, Aged About 41 Years, R/o 77 Gadri, Teli Mohalla, Patliyas, Dist. Bhilwara, Raj.
4. Nand Ram Jat S/o Lt. Rameshwar Jat, Aged About 71 Years, R/o Village Patliyas, Pipli, Dist. Bhilwara, Raj.

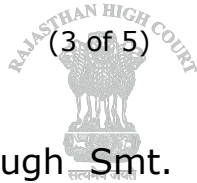
----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Shyam Sundeer Vishnoi S/o Unknown, R/o Esi Ke Pas, Pratapnagar, Dist. Bhilwara, Raj.

----Respondents

S.B. Criminal Misc(Pet.) No. 3038/2025



M/s Kk Enterprises, Through Smt. Late Sh. Kamlesh Kumar,
Aged About 36 Years, R/o Jat Colony, Ps Sadar, Barmer (Raj.)

-----Petitioner

Versus

- 1. State Of Rajasthan, Through The Learned Public Prosecutor
- 2. Mining Engineer, Mines And Geology Department Barmer Rajasthan

-----Respondents

S.B. Criminal Misc(Pet.) No. 3722/2025

Subhash Vishnoi S/o Bhuraram, Aged About 30 Years, R/o
Vishnoiyon Ka Baas, Kosna, District Jodhpur (Raj)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Misc(Pet.) No. 3737/2025

Goparam S/o Mohanram, Aged About 31 Years, Resident Of
Vishnoiyon Ki Dhaaniya, Village Anawana, Tehsil Bawri, District
Jodhpur (Raj.).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Misc(Pet.) No. 3998/2025

Jeta Ram Siyol S/o Sh. Lumba Ram, Aged About 50 Years, R/o
Padasala, Dist. Jodhpur

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Aziz Khan Mr. Firoz Khan Mr. Vishal Sharma Mr. Bharat Gurjar Mr. Arjun Singh Mr. Pawan Vishnoi
For Respondent(s)	:	Mr. Mahaveer Bishnoi, AAG Mr. Gaurav Bishnoi, AAAG Mr. Narendra Gehlot, PP Mr. Lalit Gehlot

HON'BLE MR. JUSTICE KULDEEP MATHUR**Order****15/07/2025**

1. Learned counsel for the parties submit that the controversy akin/similar to the one involved in these matters has already been decided by this Court vide order dated 19.05.2025 passed in ***S.B. Cr. Misc. Petition No.597/2024 (Chaina Ram vs. State of Rajasthan) and connected matters***. The relevant portion of the order dated 19.05.2025 passed by this Court in **Chaina Ram (supra)** is reproduced below for ready reference:

“8. Consequently, it is held that under the mining laws, the state authorities have the powers for initiating confiscation proceedings in relation to the vehicles seized for violation of the mining laws. It is once, the confiscation proceedings are initiated, the vehicle cannot be released on *supurdaginama* as prayed by few of the petitioners. However, the said vehicles can only be released on payment of penalty and compounding fees. Whereas, the vehicles qua which no confiscation proceedings have yet been commenced, the competent criminal Court can handover interim custody of the vehicles to its true owner as a criminal Court is not supposed to keep a vehicle detained until the confiscation proceedings are commenced and concluded by the mining department.

9. It is however, made clear that in the cases where criminal Court had handed over interim custody of the vehicles to its true owners on *supurdaginama*, the mining department shall be free to pass confiscation orders and take back the vehicles in accordance with law.

10. The present batch of criminal misc. petitions is disposed of with liberty to the petitioners to approach the competent Court for filing fresh applications for release of their vehicle. The competent Court shall decided the fresh applications, if filed, in accordance with the observations made by this Court in para 8 of the judgment."

2. Accordingly, these instant criminal misc. petitions are disposed of with a direction to the petitioners to approach the competent Court by way of filing a fresh application for release of their vehicle. The competent Court shall decide the fresh application, if filed, in accordance with the observations made by this Court in para 8 of the order dated 19.05.2025 rendered in the case of ***Chaina Ram (supra)***.

(KULDEEP MATHUR),J