

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

S.B. Criminal Revision Petition No. 565/2025

Anil S/o Shri Ram Prasad Jat, Aged About 20 Years, Resident Of
Inana P.s. Mundwa District Nagaur.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Rishabh Handa Mr. Mahendra Saraswat
For Respondent(s)	:	Mr. NS Chandawat, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

09/02/2026

1. By way of filing the instant criminal revision petition, challenge has been made to the order dated 16.04.2025 passed by the learned Addl. Sessions Judge, Gulabpura, District Bhilwara in CrI. Misc. Case No.42/2025 pertaining to FIR No.05/2025 registered at Police Station Rayla, District Bhilwara whereby the prayer made by the petitioner for releasing the vehicle in question (Creta Car) bearing registration No.RJ-22-CB-4368, 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 further 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. 7,00,000/- and surety of like amount to the satisfaction of the Court below.

5. It is made clear that this order would not put any impact on the investigational aspect under Section 25 of the NDPS Act to arraign the petitioner as an accused if there is evidence enough to prosecute him in accordance with law.

(FARJAND ALI),J