

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

S.B. Criminal Miscellaneous Bail Application No. 6084/2025

Surendra Solanki S/o Shri Kapoor Chand Suthar, Aged About 32
Years, R/o Rebariyo Ka Bass, Sella Gate Bali, Police Station Bali,
District Pali
(At Present Lodged In Sub Jail Bali)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Petitioner(s)	:	Mr. B.R. Chahar
For Respondent(s)	:	Mr. Hathi Singh Jodha, Public Prosecutor Mr. Shrijeet Singh Solanki for the complainant

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

22/07/2025

The instant application for bail under Section 483 of BNSS (439 of Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.126/2024, registered at Police Station Bali, District - Pali, for the offences under Sections 420, 406 & 120 B of the IPC.

Heard learned counsel for the petitioner, learned Public Prosecutor and the learned counsel for the complainant. Perused the material available on record.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is contended by learned counsel for the petitioner that the offences alleged to have been committed by the petitioner are triable by court of Magistrate.

Learned counsel for the petitioner submits that the matter relates to a civil dispute. It is further contended by the learned counsel for the petitioner that the sale-deed for the land in question has already been registered in the petitioner's favour on the basis of a power of attorney executed by the complainant. He further submits that a civil suit has already been filed by the complainant (Case No.7/2024, Suresh Vs. Surendra) before the competent Civil Court (Civil Judge, Bali, District – Pali).

Learned counsel submitted that the petitioner is in judicial custody since 10.05.2025 and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

Per contra, learned Public Prosecutor and the learned counsel for the complainant have vehemently opposed the bail application.

Learned counsel for the complainant submits that the petitioner has cheated the complainant and grabbed his hard earned money. A certain amount is yet to be recovered from the petitioner.

However, learned counsel for the complainant is not in a position to refute the fact that a civil suit is pending between the complainant and the petitioner before the competent Civil Court.

Having considered the rival submissions, facts and circumstances of the case; perused the record; considering the fact that a civil suit is already pending between the complainant and the petitioner; the petitioner is in judicial custody since 10.05.2025 and the trial of the case will take significant time,

without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

Consequently, the bail application under Section 483 of BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Surendra Solanki S/o Shri Kapoor Chand Suthar**, arrested in connection with F.I.R. No.126/2024, registered at Police Station Bali, District - Pali, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(MUKESH RAJPUROHIT),J