

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9797/2024

Suresh Chandra

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Ashok Khilery
For Respondent(s)	:	Mr. Gopal Shekhawat for Mr. Than Ram Bishnoi, Spl. PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

25/05/2026

1. This Court is in receipt of a report dated 18.05.2026 forwarded by Special Judge, NDPS Cases, Bengu, Chittorgarh intimating this Court that more than 3 years have elapsed detaining the petitioner. There were 12 witnesses projected by the prosecution for substantiation of charges, out of which only four could have been examined till now. It is reflecting from reading of the letter that despite repeated and incessant issuance of processes including bailable warrant, the respondent officers were not turning up for their deposition before learned trial court. Even a glimpse over the letter manifesting about stubbornness of the officers at one hand and their defiance of a judicial process on the other.

2. Learned trial court is directed to issue arrest warrant against them and the same shall be forwarded to Superintendent of Police with this specific stipulation of effectuation of service through a responsible police officer not below the rank of Add. Superintendent of Police.

3. Learned trial court shall be intimated through e-mail by today itself for issuance of warrant of arrest seeking attendance of the witnesses who are the officers of the narcotics department.

This Court is of the view that a public servant is not expected to or supposed to defy a judicial order or direction. If after long incarceration of an accused in jail for three years a witness do not turn up for his deposition before learned trial court for the purpose of proving the charges, then it is a very sorrow state of affair. Learned trial court is given a liberty to do all the needful.

4. List the matter on 01.07.2026 to see the progress.

(FARJAND ALI),J

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