

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

S.B. Criminal Miscellaneous (Petition) No. 5025/2026
CNR: RJHC010616132026
URN: CRLMP / 9035U / 2026

1. Bhagwan Lal Prajapat S/o Shri Kalu Ji Prajapat, Aged About 50 Years, R/o Bhanavata, Kesariyawad, District Pratapgarh.
2. Tulsi Ram Prajapat S/o Shri Bhagwan Lal Prajapat, Aged About 30 Years, R/o Bhanavata, Kesariyawad, District Pratapgarh.

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Ramesh Chander, At Present Station House Officer, Police Station Kesariyawad, Pratapgarh

-----Respondents

For Petitioner(s)	:	Mr. Sanjay Mathur
For Respondent(s)	:	Mr. Vikram Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

17/07/2026

The present criminal miscellaneous petition has been filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), seeking quashing of FIR No.56/2026 registered at Police Station Keshariyawad, District Pratapgarh.

The FIR reveals that the house of the petitioner was searched without any lawful authority and certain gold ornaments were seized therefrom. It is alleged that the petitioner provides loans against pledged gold ornaments and that the seized articles belong to various persons who had pledged their ornaments while availing such loans. Prima facie, the FIR does not disclose the commission of any offence under Section 308(2) of the Bharatiya

Nyaya Sanhita, 2023 (BNS). Nevertheless, several ornaments belonging to third parties, who had pledged them for obtaining loans, have been seized without any apparent authority in connection with the present FIR, which itself does not clearly disclose the offence for which it has been registered.

In view of the above, the learned Public Prosecutor is directed to obtain instructions and produce the case diary along with the Investigating Officer on the next date of hearing to explain the authority under which the aforesaid articles were seized. It cannot be ruled out that several bona fide persons may be awaiting the return of their pledged ornaments, and they cannot be compelled to undergo the cumbersome process of filing separate applications before the competent Court for release of their articles.

Learned Public Prosecutor seeks time to obtain instructions.

The Investigating Officer shall remain personally present before this Court on the next date of hearing.

Put up on 03.08.2026.

In the meantime, further proceedings pursuant to FIR No.56/2026 registered at Police Station Keshariyawad, District Pratapgarh, shall remain stayed.

(BALJINDER SINGH SANDHU),J