

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.2362/2021

Muddveer Khan @ Ranveer Son Of Rauf Khan, Aged About 34
Years, Resident Of 6-A, Narayanpuri, Jhotwara, Jaipur (Raj.).

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

-----Respondent

For Petitioner(s)	:	Mr. Lalit Sharma
For Respondent(s)	:	Mr. Vivek Choudhary, PP

JUSTICE ANOOP KUMAR DHAND

Order

16/03/2026

1. By way of filing the instant criminal misc. petition, a challenge has been made to the impugned order dated 27.08.2019, passed by the Metropolitan Magistrate No.12, Jaipur Metropolitan, Jaipur by which the application submitted by the petitioner under Section 70(2) Cr.P.C. for converting the arrest warrants into bailable warrants has been rejected.

2. Learned counsel for the petitioner submits that the petitioner was not aware about registration of FIR No.78/2019 with Police Station Bagru, District Jaipur, hence, he could not participate in the investigation and a charge-sheet for the offences under Sections 420 and 406 IPC was submitted against him in his absence in accordance with Section 299 Cr.P.C. and thereafter, his arrest warrants were issued. Counsel submits that in-fact the petitioner was not absconding and even today, he is ready to face

trial, so appropriate orders be issued for conversion of his arrest warrants into bailable warrants.

3. *Per contra*, the learned Public Prosecutor opposes the prayer and submits that the petitioner was absconding and in spite of the best efforts of the Police, he could not be traced. Thereafter, the police obtained arrest warrants against the petitioner from the concerned court and he was declared an absconder and accordingly, charge-sheet under Section 299 Cr.P.C. was filed against him in his absence. Hence, the Court below has not committed any error in passing the order impugned.

4. Heard and considered the submissions made at the Bar and perused the material available on the record.

5. Perusal of the record indicates that an FIR No.78/2019 was registered with Police Station Bagru, Jaipur under Section 420, 406 and 120-B IPC, wherein charge-sheet has already been submitted against the petitioner for the above stated offences under Section 299 Cr.P.C. i.e. in absence of the petitioner and thereafter his arrest warrants have also been issued.

6. This Court cannot believe that the petitioner did not have knowledge about registration of the aforesaid FIR, because a warrant of arrest under Section 37 of the Police Act was issued against him, but looking to the fact that the dispute is of personal nature involving allegations of cheating with regard to loan amount of Rs.4,00,000/- and the petitioner is ready and willing to face trial with the undertaking that he will not abscond again and would appear before the Trial Court as and when desired and also considering overall facts and circumstances of the case, this Court

deems it just and proper to dispose of the instant petition with the following order:

“(I) The petitioner would deposit a sum of Rs.10,000/- with the Trial Court within a period of four weeks from today. The aforesaid amount be deposited in the Litigants Welfare Fund and the same shall be utilized for the poor litigants having no source of income to litigate their matters.

(II) The petitioner would plant 25 shade bearing trees in his vicinity in public area. The aforesaid process would be carried over by him within a period of two weeks from the date of receipt of the copy of this order.

(III) The petitioner would submit the photographs of these shade bearing trees along-with an undertaking before the Trial Court to show that the Condition No.II imposed by this Court has been duly complied with by him and he would take care of these plants till they grow and get in proper shape and he would submit the actual photographs of trees at the end of every six months in every year till conclusion of the trial.

7. The reasons for passing this present order directing the petitioner to plant 25 shade bearing trees is in the interest of the public at large and for the greater public good. Planting trees as directed above, is one such initiative, which this Court considers to be appropriate, as trees, for as long as they thrive whether for decades or centuries will continuously and silently offer numerous benefits to the city and the surrounding community. Future generations will benefit from a cleaner, fresh and oxygen-rich environment.

8. In case, the petitioner complies with the aforesaid conditions within the above stipulated period, the arrest warrants issued against the petitioner would be treated asailable warrants and in case, the petitioner surrenders before the Trial Court within a period of four weeks from today, the Trial Court may release him on bail subject to its satisfaction after taking his personal and surety bonds.

9. With the aforesaid observations and directions, the criminal misc. petition along with all applications (pending, if any) stand disposed of.

(ANOOP KUMAR DHAND),J