

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 3rd Bail Application No. 4489/2026

Saleem Kalbeliya S/o Amarlal, R/o Kalbailiya Basti Thane Ke Samne, Kawai, Police Station Kawai, District Baran (Raj.) At Present Khairai Ki Beed, Jolpa Road, Sangod, District Kota (Raj.) (At Present Accused Confined In Sub Jail, Sangod).

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Devendra Pal Singh Shekhawat
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

01/05/2026

1. The present 3rd bail application under Section 483 of BNSS is filed by the applicant-accused **Saleem Kalbeliya S/o Amarlal**, seeking bail in respect of a criminal case registered as FIR No.125/2024 dated 29.04.2024 registered at P.S. Sangod, District - Kota, for the offence under Sections 341, 323, 34 and 382 of IPC.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more required in investigation. He further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. He also submits that the applicant undertakes not to repeat offence and cooperate with investigation/trial, which will take time.

3. Learned counsel for the petitioner submits that the present petitioner is in custody since 29.12.2024 and till date the trial has not been concluded. He also submits that statements of material witnesses have been recorded and there is no evidence against the petitioner, so the petitioner is entitled for bail. He also placed reliance upon cross-examination of PW8 Ramchandri and submits that no identification (TIP) was conducted by the police. He further referred the statement of PW3 complainant and submitted that report was registered against unknown person. He further submits that progress in trial is too slow and the case is triable by Magistrate.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature. He has also filed a report received from concerned Police Station. He submits that six criminal cases were registered against the petitioner.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. First bail application of the present petitioner was dismissed on 11.08.2025, whereas second was dismissed on 07.10.2025. The material on record indicate that eight witnesses were examined by the prosecution which includes PW3 Naveen (complainant) and PW8 Ramchandri (victim). We have considered their statements in particular cross-examination, though there is some delay while conducting the trial. There is criminal antecedents against petitioner.

7. The facts and the material indicate that the alleged offence are of serious nature and role attributed to applicant is prima facie sufficient to consider complicity of applicant in the crime. Therefore, at this juncture, considering the evidence collected so far, this is not a fit case to enlarge the applicant accused on bail.
8. Considering the gravity of allegations and overall facts and circumstances of the case, it is appropriate to dismiss the bail application of the applicant accused at this stage.
9. Accordingly, the 3rd application for bail filed under Section 483 of BNSS preferred by **Saleem Kalbeliya S/o Amarlal**, is hereby dismissed.
10. Learned trial Court is directed to expedite the trial and try to conclude as early as possible.
11. The Office is directed to send a copy of this order to the trial Court by E-mail.

(ASHOK KUMAR JAIN),J