

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Criminal Reference No. 1/2024

Gangaram S/o Shri Gulya Mali
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

Connected With

D.B. Criminal Writ Petition No. 124/2023

Kailash S/o Shri Govindram @ Govinda
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

D.B. Criminal Writ Petition No. 706/2023

Gangaram S/o Shri Gulya Mali
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Rajesh Choudhary, G.A.-Cum-A.A.G with Ms. Manju Dave, Mr. Aman Kumar, Ms. Neha Goyal & Mr. Vinod Sharma

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI
HON'BLE MR. JUSTICE UMA SHANKER VYAS
HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

25/04/2026

This Larger Bench has been constituted under the orders of Hon'ble The Acting Chief Justice in pursuance to the orders dated 30/5/2023 & 6/12/2024 passed in S.B. Criminal Writ Petition Nos. 124/2023 and 706/2023 respectively, for resolution of apparently

divergent, and rather conflicting, views expressed by different Division Benches of this Court on the issue of the shifting of convicted person for the offence under Section 376 IPC/ POCSO act to the Open Air Camp in view of the Rule 3 of the Rajasthan Prisoners Open Air Camp Rules 1972 (Here-in-after referred as rules of 1972). Thus, the matter has been referred to the Larger bench for authoritative pronouncement on the following question of law.

Whether a prisoner, convicted for the offence under Section 376 IPC/POCSO Act, undergoing the sentence of imprisonment in Jail, can be shifted to Open Air Camp, in view of the Rule 3 of the Rules of 1972?

The lawyers are abstaining from work today.

List these matters as and when Bench is formed.

(UMA SHANKER VYAS),J

(VINOD KUMAR BHARWANI),J

(PRAVEER BHATNAGAR),J