

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Application No. 156/2026

Balaji Enterprises

-----Petitioner

Versus

Proofex Packaging Pvt. Ltd. & Anr.

-----Respondents

For Petitioner(s)	:	Mr. Raj Kumar Kasana applicant
For Respondent(s)	:	Mr. Vivek Choudhary, PP

HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/05/2026

It is stated by learned counsel for the complainant-applicant that, although in compliance of order dated 15.12.2025, the accused-petitioner deposited an additional 20% of the fine imposed by the trial Court by way of submitting one Demand Draft No.234180 in favour of the complainant-applicant, yet the same has not been released by the trial Court in favour of the complainant-applicant solely on the ground that instead of cash amount, Demand Draft has been deposited by the accused.

This Court finds that the trial Court has also directed to learned counsel for the accused to deposit the amount as per Rules and despite showing its dissatisfaction with regard to the mode of deposit of the fine amount, as submitted by learned counsel for the complainant-applicant, bail bonds of accused have been accepted.

Learned counsel submits that on a hyper-technical ground, the application filed by the complainant-applicant for releasing the Demand Draft in favour of the complainant has been dismissed

and in the meanwhile, currency of demand draft dated 17.12.2025 has also expired.

This Court is constrained to observe that the approach adopted by the trial Court, in refusing to release the amount deposited by way of a demand draft on such a hyper-technical ground is totally unacceptable. The insistence on deposit in cash is totally unwarranted.

Registrar Judicial is directed to send copy of this order to the concerned Judicial Magistrate and to call for its comments.

Let this matter be listed on 11.05.2026.

(ANAND SHARMA),J