

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal 2nd Miscellaneous Bail Application No. 5102/2026

Amar Singh Rathore S/o Shri Bhagirath Singh, Aged About 42 Years, R/o 1134/47, Ward No. 47, Pratap Nagar, Lohakhan, Police Station Civil Lines, Ajmer, Rajasthan (Presently Confined In Central Jail, Jodhpur).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Vikas Kabra
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP Mr. Ashok, Dy.SP, SOG (IO), present in person

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

Date of conclusion of arguments	:	08/05/2026
Date on which the judgment was reserved	:	08/05/2026
Whether the full order or only the operative part is pronounced	:	Full Judgment
Date of pronouncement	:	22/05/2026

1. The present second bail application under Section 483 of BNSS is filed by the applicant-accused **Amar Singh Rathore S/o Shri Bhagirath Singh** seeking bail in respect of a criminal case registered as FIR No.32/2019 dated 23.08.2019 registered at P.S. SOG District - Jaipur, for the offence under Sections 420, 406, 409, 467, 468, 471, 477A and 120B IPC and 65 of IT Act.
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. The applicant does not have any criminal antecedents. He also submits that the applicant undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for petitioner submits that first bail application of petitioner was dismissed on 15.03.2024 and thereafter he has preferred SLP before Hon'ble Supreme Court and a liberty was granted to him to file a fresh bail application for grant of bail before the trial court. He submitted that pursuant to liberty granted to him, a fresh bail application was filed before learned trial court, which was dismissed on 25.03.2026 and now the petitioner is before this Hon'ble Court. He further submitted that petitioner was arrested on 13.11.2022 and since then he is in custody. He also submitted that the period of custody is more than three years and six months and considering the charges, period of custody is too much; therefore, on the ground of custody alone, the petitioner is entitled to be released on bail.
4. Learned counsel for petitioner, while relying upon order dated 31.01.2026 passed in Criminal Case No. 285/2024, submitted that still the matter is at the stage of framing of charge and the trial court has not framed the charge, which has resulted into delay in trial and on this basis he is entitled for bail. He also referred order dated 30.01.2026 passed in Bail Application No. 15138/2025, **Shaitan Singh versus**

State of Rajasthan, and submitted that identically placed Shaitan Singh was granted bail by a coordinate Bench of this Hon'ble Court on the ground that trial has been delayed and accused has right of speedy trial as guaranteed under Article 21 of Constitution of India. He also submitted that even accused Yashopad Singh and Girdhar Singh were released on bail by a coordinate Bench of this Hon'ble Court on 30.05.2023. He also referred order dated 17.12.2024 and submitted that this Hon'ble Court had dismissed bail application of Devi Singh, but Hon'ble Supreme Court has allowed the bail of Devi Singh. He further referred order dated 22.08.2023 and submitted that Vasudev Singh and Ummed Singh were also granted bail by a coordinate Bench of this Hon'ble Court. He also referred order dated 15.03.2024 and submitted that Rajendra Singh, Ram Singh, Jaswant Singh and Girdhar Singh were granted bail by coordinate Bench of this Hon'ble Court. He further referred order dated 12.04.2023 and submitted that Kevalchand, Gautam and Dinesh were granted bail by this Hon'ble Court.

5. Learned counsel has further submitted that the maximum allegation upon the petitioner is that he worked as CEO of the Society, but that too only for a limited period. He also submitted that the cooperative society worked under the directions of the Board and the entire responsibility vested with the Board and present petitioner is not individually responsible for any of the acts approved by the Board, and he is just a paid employee of the society and having no interest in society.

6. Aforesaid contentions were opposed by learned Public Prosecutor, who referred to report received from SOG and submitted that present petitioner was working as CEO and he is an important and responsible person for day-to-day operations of Sanjivani Credit Cooperative Society. He further submitted that total ₹1100 crores were distributed as bogus loans and in distributing said loans, 60,000 forged loan applications were prepared. He also submitted that the acts of present petitioner are serious in nature and maximum punishment prescribed is life imprisonment; hence, he is not entitled to be released on bail.
7. On the basis of complaint regarding irregularities and illegalities committed by Sanjivani Credit Cooperative Society, SOG has inquired into the matter and during pendency of investigation, it came to the notice that after opening 237 branches, the Society had collected ₹953 crores from 2,21,147 investors/depositors. The Society had created bogus loan accounts and thereby advanced ₹1100 crores to 60,000 bogus persons. The SOG has found that Vikram Singh and his family members were systematically involved in syphoning off the money in clandestine manner from the society. The material available on record indicates that in the year 2017-18, the present petitioner worked as CEO and during his tenure, loans amounting to ₹393 crores were sanctioned and distributed. Police has also filed charge-sheet and presently the matter is pending at the stage of framing of charge. The first bail application of the present petitioner

was dismissed by a coordinate Bench of this Court on 15.03.2024.

8. The petitioner approached the Hon'ble Supreme Court by filing SLP (Criminal) Diary No. 20528/2025 and the same was dismissed on 08.05.2025. While dismissing the SLP, the Hon'ble Supreme Court granted liberty to the petitioner to file a fresh bail application for grant of bail before the trial court raising all the pleas and contentions. The petitioner thereafter filed a fresh bail application before the trial court, which came to be dismissed on 25.03.2026. The material available on record indicates that the petitioner is facing charge under Section 409 IPC as well, and the maximum punishment prescribed is life imprisonment. A list submitted by SOG indicates that 25 criminal cases were registered against the petitioner and in some of them, the petitioner has not been arrested as investigation is still in progress. A copy of order-sheet dated 31.01.2026 indicates that the accused had filed an application for clubbing/consolidating 12 criminal cases together. The said application was disposed of on 31.01.2026, which means that the trial has also been delayed by the accused themselves. Therefore, the prosecution cannot be held responsible for the delay.
9. It is expected of the trial court, which is seized with the matter, to expedite the trial and to keep in mind that the accused has a right of speedy trial. In case any accused is in custody for quite some time, say six months or more in a Magistrate triable case, then the matter should be given sufficient priority so that the accused may not face

unnecessary detention during trial. There is no doubt that Shaitan Singh was released on bail by this Court. We agree with the proposition that personal liberty is a priceless treasure of a human being and is basically a natural right. Section 346 of BNSS mandates that a trial be conducted expeditiously, ideally on a day-to-day basis, and unwarranted or unreasonable requests for adjournment should be refused.

10. Ultimately, Shaitan Singh, who was an employee of the Society and was in custody since 20.09.2019, was granted bail. Similarly, other accused persons namely Yashopad, Girdhar Singh, Vasudev Singh, Ummed Singh, Kewalchand, Gautam Singh, Dinesh, Rajendra Singh, Ram Singh, Jaswant Singh were granted bail by a coordinate Bench of this Court. Another accused Devi Singh was granted bail by the Hon'ble Supreme Court after dismissal of his bail application on 15.03.2023. In the present case, the first bail application of the present petitioner was dismissed on 15.03.2023 along with Devi Singh. Devi Singh was granted bail by the Hon'ble Supreme Court on 17.12.2024, whereas the bail application of the present petitioner was dismissed on 08.05.2025. However, the petitioner was granted liberty to file a fresh bail application on the grounds raised by him.
11. Learned counsel for petitioner has contended that the petitioner was merely an employee of the Society and had no role in sanctioning loans to any person. Admittedly, the petitioner was working as the Chief Executive Officer (CEO) during the period 2017-18. The investigating agency has

inquired into the matter and prepared a report showing that loans amounting to ₹393 crores were sanctioned and distributed during the tenure of the petitioner. The CEO is the principal executive officer of the Society/Bank and therefore, he cannot claim that he is not a responsible person. When a loan is sanctioned to a bogus or fictitious person, then certainly the sanctioning authority is responsible for sanction of such type of loan. The claim of the petitioner that he was merely a paid employee is not tenable.

12. The case of the petitioner is distinguishable from that of other accused persons who were granted bail, as the petitioner had a major role to play along with the Directors and principal stakeholders, therefore, the petitioner cannot claim parity with those who have already been enlarged on bail. The pace of trial is very slow as till January, charges had not been framed. Therefore, it is appropriate to direct the trial court to expedite not only the framing of charges but also to fix the matter on a day-to-day basis.
13. Considering the gravity of allegations, as also the role and involvement of the present petitioner, I am not inclined to grant bail to the petitioner on any of the grounds advanced by learned counsel for the petitioner.
14. The trial court is directed to expedite the trial and fix the matter on day-to-day basis. The trial court is further directed not to adjourn the matter except in cases of grave urgency. The trial court is also directed to conclude the trial as early

as possible, preferably within a period of two years from the date of receipt of copy of this order.

15. Thus, the second bail application preferred by Amar Singh Rathore under Section 483 of BNSS is hereby dismissed.
16. Office is directed to send a copy of this order to learned trial court through e-mail.

(ASHOK KUMAR JAIN),J