

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 4632/2024

Shaabbir S/o Majeeda,

----Petitioner

Versus

State Of Rajasthan

----Respondent

Connected With

1. S.B. Criminal Miscellaneous (petition) No. 3937/2012
2. S.B. Criminal Miscellaneous (petition) No. 6499/2015
3. S.B. Criminal Miscellaneous (petition) No. 1462/2016
4. S.B. Criminal Miscellaneous (petition) No. 2386/2016
5. S.B. Criminal Miscellaneous (petition) No. 4998/2017
6. S.B. Criminal Miscellaneous (petition) No. 5173/2018
7. S.B. Criminal Miscellaneous (petition) No. 6928/2018
8. S.B. Criminal Miscellaneous (petition) No. 1974/2019
9. S.B. Criminal Miscellaneous (petition) No. 1990/2019
10. S.B. Criminal Miscellaneous (petition) No. 2267/2021
11. S.B. Criminal Miscellaneous (petition) No. 4327/2021
12. S.B. Criminal Miscellaneous (petition) No. 4682/2021
13. S.B. Criminal Miscellaneous (petition) No. 6076/2021
14. S.B. Criminal Miscellaneous (petition) No. 6454/2021
15. S.B. Criminal Miscellaneous (petition) No. 6959/2021
16. S.B. Criminal Miscellaneous (petition) No. 7535/2021
17. S.B. Criminal Miscellaneous (petition) No. 7979/2021
18. S.B. Criminal Miscellaneous (petition) No. 8169/2021
19. S.B. Criminal Miscellaneous (petition) No. 490/2022
20. S.B. Criminal Miscellaneous (petition) No. 656/2022
21. S.B. Criminal Miscellaneous (petition) No. 684/2022
22. S.B. Criminal Miscellaneous (petition) No. 729/2022
23. S.B. Criminal Miscellaneous (petition) No. 779/2022
24. S.B. Criminal Miscellaneous (petition) No. 800/2022
25. S.B. Criminal Miscellaneous (petition) No. 860/2022
26. S.B. Criminal Miscellaneous (petition) No. 987/2022
27. S.B. Criminal Miscellaneous (petition) No. 1082/2022
28. S.B. Criminal Miscellaneous (petition) No. 1495/2022

29. S.B. Criminal Miscellaneous (petition) No. 1585/2022
30. S.B. Criminal Miscellaneous (petition) No. 1590/2022
31. S.B. Criminal Miscellaneous (petition) No. 1994/2022
32. S.B. Criminal Miscellaneous (petition) No. 2870/2022
33. S.B. Criminal Miscellaneous (petition) No. 3767/2022
34. S.B. Criminal Miscellaneous (petition) No. 4099/2022
35. S.B. Criminal Miscellaneous (petition) No. 4482/2022
36. S.B. Criminal Miscellaneous (petition) No. 5292/2022
37. S.B. Criminal Miscellaneous (petition) No. 6261/2022
38. S.B. Criminal Miscellaneous (petition) No. 7456/2022
39. S.B. Criminal Miscellaneous (petition) No. 7760/2022
40. S.B. Criminal Miscellaneous (petition) No. 8389/2022
41. S.B. Criminal Miscellaneous (petition) No. 8594/2022
42. S.B. Criminal Miscellaneous (petition) No. 8781/2022
43. S.B. Criminal Miscellaneous (petition) No. 9627/2022
44. S.B. Criminal Miscellaneous (petition) No. 9732/2022
45. S.B. Criminal Miscellaneous (petition) No. 9788/2022
46. S.B. Criminal Miscellaneous (petition) No. 10300/2022
47. S.B. Criminal Miscellaneous (petition) No. 10891/2022
48. S.B. Criminal Miscellaneous (petition) No. 857/2023
49. S.B. Criminal Miscellaneous (petition) No. 865/2023
50. S.B. Criminal Miscellaneous (petition) No. 1482/2023
51. S.B. Criminal Miscellaneous (petition) No. 1866/2023
52. S.B. Criminal Miscellaneous (petition) No. 2406/2023
53. S.B. Criminal Miscellaneous (petition) No. 2481/2023
54. S.B. Criminal Miscellaneous (petition) No. 2599/2023
55. S.B. Criminal Miscellaneous (petition) No. 2863/2023
56. S.B. Criminal Miscellaneous (petition) No. 2952/2023
57. S.B. Criminal Miscellaneous (petition) No. 3653/2023
58. S.B. Criminal Miscellaneous (petition) No. 3967/2023
59. S.B. Criminal Miscellaneous (petition) No. 4461/2023
60. S.B. Criminal Miscellaneous (petition) No. 4471/2023
61. S.B. Criminal Miscellaneous (petition) No. 4472/2023
62. S.B. Criminal Miscellaneous (petition) No. 4473/2023
63. S.B. Criminal Miscellaneous (petition) No. 4662/2023
64. S.B. Criminal Miscellaneous (petition) No. 4667/2023
65. S.B. Criminal Miscellaneous (petition) No. 4979/2023
66. S.B. Criminal Miscellaneous (petition) No. 5359/2023
67. S.B. Criminal Miscellaneous (petition) No. 5438/2023

68. S.B. Criminal Miscellaneous (petition) No. 5439/2023
69. S.B. Criminal Miscellaneous (petition) No. 5574/2023
70. S.B. Criminal Miscellaneous (petition) No. 5877/2023
71. S.B. Criminal Miscellaneous (petition) No. 6314/2023
72. S.B. Criminal Miscellaneous (petition) No. 6390/2023
73. S.B. Criminal Miscellaneous (petition) No. 6829/2023
74. S.B. Criminal Miscellaneous (petition) No. 6967/2023
75. S.B. Criminal Miscellaneous (petition) No. 7154/2023
76. S.B. Criminal Miscellaneous (petition) No. 7433/2023
77. S.B. Criminal Miscellaneous (petition) No. 7887/2023
78. S.B. Criminal Miscellaneous (petition) No. 287/2024
79. S.B. Criminal Miscellaneous (petition) No. 296/2024
80. S.B. Criminal Miscellaneous (petition) No. 1397/2024
81. S.B. Criminal Miscellaneous (petition) No. 1531/2024
82. S.B. Criminal Writ Petition No. 1735/2024
83. S.B. Criminal Writ Petition No. 1755/2024
84. S.B. Criminal Miscellaneous (petition) No. 2134/2024
85. S.B. Criminal Miscellaneous (petition) No. 2162/2024
86. S.B. Criminal Miscellaneous (petition) No. 2464/2024
87. S.B. Criminal Miscellaneous (petition) No. 2518/2024
88. S.B. Criminal Miscellaneous (petition) No. 2558/2024
89. S.B. Criminal Miscellaneous (petition) No. 2626/2024
90. S.B. Criminal Miscellaneous (petition) No. 2678/2024
91. S.B. Criminal Miscellaneous (petition) No. 2761/2024
92. S.B. Criminal Miscellaneous (petition) No. 4137/2024
93. S.B. Criminal Miscellaneous (petition) No. 4270/2024
94. S.B. Criminal Miscellaneous (petition) No. 4279/2024
95. S.B. Criminal Miscellaneous (petition) No. 4280/2024
96. S.B. Criminal Miscellaneous (petition) No. 4569/2024
97. S.B. Criminal Miscellaneous (petition) No. 4582/2024
98. S.B. Criminal Miscellaneous (petition) No. 4773/2024
99. S.B. Criminal Miscellaneous (petition) No. 4795/2024
100. S.B. Criminal Miscellaneous (petition) No. 4829/2024
101. S.B. Criminal Miscellaneous (petition) No. 5238/2024
102. S.B. Criminal Miscellaneous (petition) No. 5245/2024
103. S.B. Criminal Miscellaneous (petition) No. 5677/2024
104. S.B. Criminal Miscellaneous (petition) No. 6025/2024

For Petitioner(s)	:	Mr. Ishan Mishra Mr. Namo Narayan Meena for Mr. Harendra Singh Sinsinwar Mr. Sanjay Khan Mr. Aditya Mishra Mr. R K Gouttam Mr. Gajendra Singh Rathore Mr. Poonam Chand Sharma Mr. Syed Adeel Naqvi Mr. Bharat Yadav Mr. Vinod Kumar Sharma Mr. Arvind Sharma Mr. Bhim Singh Meena Mr. Praveen Kumar Jain Mr. Sandeep Kumar Maheshwari Mr. Arpit Srivastava Ms. Vandana Sharma Mr. Mohit Pareek Mr. Yogesh Chawla for Mr. S.S. Ola Mr. Devanshu Sharma Mr. Umesh Dixit Mr. Satish Kumar Khandelwal Mr. Girish Khandelwal Mr. Amit Jindal Mr. Siya Ram Sharma Ms. Aradhana Swami Mr. Ali Mohd. Khan Mr. Abhishek Dadhich for Mr. Pradeep Kumar Sharma Mr. Asgar Khan Mr. Rahul Agarwal Mr. Dushyant Singh Naruka Mr. Gurvindra Singh Mr. Gajanand Yadav Mr. Dharmendra Kumar Bairwa
For Respondent(s)	:	Mr. Rajesh Choudhary, GA-cum-AAG with Mr. Manvendra Singh Shekhawat, PP with Mr. Rishi Raj Singh Rathore, PP with Mr. Amit Kumar Gupta, PP Mr. Rahul Lodha, AGC for Mining Dept. Mr. Sneh Deep Khyaliya, Amicus Curiae Mr. Tarun Agarwal, Amicus Curiae with Mr. Bhaskar Agarwal Mr. Vipul Jain Mr. Prahlad Krishnia, SP, Crime Branch

HON'BLE MR. JUSTICE SAMEER JAIN

Order

17/09/2024

In compliance of order dated 03.09.2024, Superintendent of Police (Crime Branch) has marked appearance and has appraised the Court qua certain facts and procedures adopted by the police authorities in the matters of the instant issue.

Learned Public Prosecutor and the *amicus curiae* have put-forth the contentions qua the stakeholders and have proposed to formulate a draft SOP, after due consideration of the matter in hand, and the provisions of new criminal laws i.e. the Bhartiya Nyaya Sanhita, 2023, Bhartiya Nagrik Suraksha Sanhita, 2023, and the Bhartiya Sakshya Adhiniyam, 2023 along with the special laws i.e. Mines and Minerals (Development and Regulation) Act, The Narcotic Drugs and Psychotropic Substances Act, Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, Indian Forest Act etc.

It is further averred that the said discussion shall also include remedies qua the issue as to within what time limit can the vehicles/conveyance that are seized/confiscated by the appropriate authorities can be handed-over (subject to certain conditions being imposed)/ released and be prevented from becoming scrap.

At this juncture, Superintendent of Police (Crime Branch) has proffered that the initial discussion qua the said issue along with the concerned police authorities, Public Prosecutor(s), *amicus*

curaie, concerned panel and government counsel can be held at the Police head-quarters, Jaipur.

In light of the aforementioned, this Court is of the view that the concerned authorities along with the police authorities as per their convenience can conduct the discussion session(s) and formulate a draft SOP qua the issue(s) in hand and cognizant with the aforementioned averments.

The said draft SOP be furnished in the Court by 01.10.2024.

List these matters on 08.10.2024 along with S.B. CRLMP No. 1684/2024, 1071/2024, 1074/2024 & 2761/2024 for final disposal.

(SAMEER JAIN),J