

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6732/2026

Chanchal Soni S/o Shri Kishanchand Soni, Aged About 46 Years,
R/o Gau Ghat Ke Saamne, Malniyo Ka Chuwak, Badi Basti,
Pushkar, (Presently Confined In Judicial Custody At Central Jail,
Ajmer).

----Petitioner

Versus

State Of Rajasthan, Through P.P.

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 6731/2026

Dilip Mali S/o Rameshwar Lal, Aged About 35 Years, R/o 91,
Parikrama Marg, Near Gurudwara, Nala, Pushkar. (At Present
Confined In Central Jail, Ajmer)

----Petitioner

Versus

The State Of Rajasthan, Through The Public Prosecutor.

----Respondent

For Petitioner(s)	:	Mr. Garvit Khandelwal Mr. Aayush Agrawal
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

04/05/2026

1. These bail applications under Section 483 of BNSS are filed
by the applicants-accused **Chanchal Soni S/o Shri
Kishanchand Soni** and **Dilip Mali S/o Rameshwar Lal**
seeking bail in respect of a criminal case registered as FIR
No.106/2026 dated 14.04.2026 registered at P.S.

Krishanaganj, District - Ajmer, for the offence under Sections 3/4 of the Rajasthan Public Gambling Ordinance, Section 112(2) of BNS and Section 8/20 of NDPS Act.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in the matter and the investigation against him is complete and they are no more required in investigation. He further submits that there are no chance of fleeing of applicants accused from the jurisdiction of this Hon'ble Court. He also submits that the applicants undertake not to repeat offence and cooperate with investigation/trial, which will take time.
3. Learned counsel appearing on behalf of applicant-accused Chanchal Soni submits that applicant was arrested on the ground that he was possessing 191 grams of Charas without any permission. He also submitted that accused Dilip Mali was only arrested as he was named by co-accused. He further submitted that recovered quantity of Charas is little higher than small quantity, but quite less than commercial quantity. He also referred FIR No.119/2026 dated 13.04.2026 registered under Section 8/20 of NDPS Act and submitted that Charas was recovered from possession of Pradeep Parashar, and not from present applicant. At last, they submitted that both the applicants-accused are arrested without any material, as there is no evidence to show that Dilip Mali has sold Charas to Chanchal Soni.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature.

5. Heard learned counsel for the applicants-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. In the night of 13th/14th April, 2026, Ugma Ram (S.I.) has searched Hotel Rawat, wherein in Room No.118, he found 4-5 persons indulged in gambling. At the time of proceedings, Charas was also recovered. After the proceedings, the report is filed and FIR under Section 112(2) of BNS and Section 8/20 of NDPS Act along with Section 3/4 of RPGO was registered. Police has arrested Chanchal Soni and during interrogation, it has come to notice that Chanchal Soni has purchased contraband/Charas from Dilip Mali, hence Dilip Mali arrayed as an accused. The investigation is in progress.
7. Learned Trial Court has referred two criminal cases against Chanchal Soni, one is relating to Section 3/4 RPGO, which was decided, as he was convicted. Another case is relating to FIR No.119/2026 P.S. Pushkar under Section 8/29 of NDPS Act. A copy of FIR is placed on record, wherein also on 13.04.2026, SHO, P.S. Pushkar has seized 127 grams contraband (Charas) from possession of Pradeep Parashar. During interrogation, Pardeep Parashar has named Chanchal Soni, as the person, who sold Charas to him. There is no criminal antecedents against Dilip Mali. No recovery was effected from Dilip Mali. Considering the material placed on record and also the evidence collected till date, it is appropriate to grant bail to Dilip Mali, but considering another case under the NDPS Act of same year, this is not a fit case to enlarge bail to Chanchal Soni.

8. Upon hearing the arguments and perusing the record, we have found that the applicant-accused Dilip Mali is no more required in the investigation and he is in custody for quite some time. The further proceedings will take its own time, therefore, looking to entirety of facts and circumstances of the case and without expressing any opinion on merits of the case, the Court deems it appropriate to grant bail to the applicant-accused Dilip Mali.

9. Thus, the instant bail application filed on behalf of applicant-accused **Dilip Mali S/o Rameshwar Lal**, is hereby allowed and the applicant-accused is ordered to be released on bail upon furnishing a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-

- (i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.
- (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicant-accused shall attend the hearing of the Trial Court on the date fixed by the Trial court or as and when asked to appear before the Trial Court.
- (iv) In case of any violation of above conditions, the bail granted to the applicant-accused shall be liable to be canceled.

10. In view of discussion made herein above, the instant bail application for bail filed under Section 483 of BNSS preferred by

Chanchal Soni S/o Shri Kishanchand Soni, is hereby dismissed.

11. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J

GAURAV /63 & 76