

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous II Bail Application No. 10763/2023

CNR: RJHC020665392023 | URN: CRLMB / 21048U / 2023

Vp Singh @ Visvanath S/o Deewansingh, Aged About 25 Years,
R/o Randoli, Police Station Mania, District Dholpur (Raj.) (At
Present Confined In District Jail, Dholpur)

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

Connected With

S.B. Criminal Miscellaneous Application No.1/2025

in

S.B. Criminal Miscellaneous III Bail Application No. 7319/2025

CNR: RJHC020488462025 | URN: CRLMB / 13877U / 2025

Vp Singh @ Visvanath S/o Deewansingh, Aged About 25 Years,
R/o Randoli, Police Station Mania, District Dholpur (Raj.). (At
Present In District Jail, Dholpur).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Anil Jain
		Mr. Dushyant Jain
For Respondent(s)	:	Mr. Shree Ram Dhakar, PP

HON'BLE MR. JUSTICE FARJAND ALI

(Through Video Conferencing)

12/08/2026

S.B. Criminal Miscellaneous II Bail Application No. 10763/2023-

1.This Court is in receipt of the order dated 04.05.2026, forwarded by the learned trial Court, whereby it has been informed that, despite due diligence, the trial could not be culminated within the time granted by this Court and further time has been sought for conclusion of the trial. The learned trial Court has stated that, in Sessions Case No. 58/2020, State of Rajasthan v. Anu & Ors., arising out of FIR No. 346/2019, Police Station Mania, District Dholpur, the matter was fixed for final arguments on 01.05.2026; however, on account of the absence of accused Sanjay on the said date, his bail bonds were forfeited and the case has thereafter reached the stage of production of the absconding accused. It has, therefore, been requested that further time may be granted for disposal of the case.

2.It is noticed that more than six years have already elapsed since the institution of the case, while the accused has been languishing in custody. Such a situation cannot be appreciated in a democratic constitutional set-up, where the fundamental right to personal liberty is guaranteed under the Constitution. The right to life and personal liberty under Article 21 encompasses not merely a bare and animal existence, but also the right to a speedy trial.

3. It is a settled principle of criminal jurisprudence that an accused is presumed to be innocent unless and until his guilt is duly established in accordance with law. In such circumstances, a serious question arises as to whether a person who continues to enjoy the presumption of innocence can be kept incarcerated for more than six years merely for want of conclusion of the trial and to facilitate the prosecution in producing its evidence.
4. The situation is, therefore, quite grim. The learned trial Court is directed to take all necessary steps to ensure expeditious conclusion of the trial. The matter shall be posted for production of the prosecution evidence on a day-to-day basis. In the event the prosecution witnesses fail to appear, immediate coercive processes shall be issued and forwarded to the concerned Superintendent of Police with a clear direction to secure their presence and produce them before the learned trial Court.
5. Even thereafter, if the prosecution fails or abstains from producing its witnesses despite the aforesaid coercive measures, the learned trial Court shall not hesitate to pass an appropriate order for closure of the prosecution evidence, in accordance with law, so that the trial is not permitted to remain pending indefinitely.
6. In any event, having regard to the prolonged incarceration of the accused and the constitutional mandate of speedy trial,

the learned trial Court shall ensure that the trial is concluded within a period of two months from the date of receipt of a copy of this order, without granting unnecessary adjournments.

7. With the aforesaid directions, the application seeking extension of time stands disposed of.

S.B. Criminal Miscellaneous Application No. 01/2025 in

S.B. Criminal Miscellaneous III Bail Application No. 7319/2025-

8. The present interim bail application has been filed in regular bail application under Section 439 Cr.P.C./Section 483 BNSS on behalf of the petitioner, who is in judicial custody since 22.06.2020 in connection with F.I.R. No. 346/2019, Police Station Mania, District Dholpur, for the offences under Sections 147, 148, 149, 341, 302, 307 and 504 IPC and Section 3/25 of the Arms Act. The petitioner has pleaded his innocence and has submitted that he has remained in custody for a considerable period.

9. Learned counsel for the petitioner submits that the petitioner's wife is suffering from a uterine ailment and, as per the medical advice, she has been advised to undergo an operation. In support of the said submission, a photocopy of the sonography report dated 04.12.2025 has been placed on record and marked as Annexure-1. It is further submitted that the presence of the petitioner is required for making

arrangements for the expenses of the proposed operation and for attending to and taking care of his wife at the time of her treatment and operation. It is, therefore, prayed that the petitioner may be enlarged on interim bail for a period of two months.

10.Learned counsel for the petitioner further submits that there is no likelihood of the petitioner absconding, as he is a permanent resident of District Dholpur, has movable as well as immovable properties in his village and has his family residing there. It is also submitted that the petitioner is ready and willing to abide by any condition that may be imposed by this Court.

11.Learned Public Prosecutor has opposed the prayer for interim bail. However, the factual aspect regarding the medical condition of the petitioner's wife has been verified.

12.Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the State. Perused the material available on record.

13.Having regard to the medical condition of the petitioner's wife, the advice for the proposed operation, the prolonged period of incarceration already undergone by the petitioner and the purpose for which temporary liberty is being sought, this Court is of the considered view that the petitioner deserves indulgence on humanitarian grounds. The

apprehension regarding his absconding can also be adequately safeguarded by imposing appropriate conditions.

14. Accordingly, the instant interim bail application is allowed.

The regular bail application stands disposed of with liberty to the petitioner to renew his prayer for bail after availing the period of temporary bail and surrendering before the concerned jail authorities upon expiry thereof.

15. The petitioner shall be released on interim bail for a period of two months from the date of his actual release, subject to his furnishing a personal bond in the sum of Rs.50,000/- along with two sound and solvent sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial Court, with the condition that he shall surrender before the concerned jail authorities immediately upon expiry of the aforesaid period of two months.

16. The concerned jail authority shall intimate the petitioner, in writing, the date on which he is required to surrender upon expiry of the period of interim bail.

17. The observations made hereinabove are confined only to the consideration of the present prayer for interim bail and shall not prejudice the case of either party on merits.

(FARJAND ALI),J