

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Bail Cancellation Application No. 89/2025

Shakti Singh S/o Shri Prem Singh, Aged About 43 Years,
Resident Of 30 Balaji Market Bhaylapura, Vargama Road,
Hindaun , District Karauli, Rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Phool Singh S/o Natthi Singh Prajapati, Aged About 20 Years, Resident Of Deevli, Police Station Bhusavar, District Bharatpur Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Manoj Kumar Avasthi
For Respondent(s)	:	Mr. Jaiprakash Tiwari, PP Mr. Shiv Kumar Sharma Mr. Rahul Sharma for Mr. Rajneesh Gupta

HON'BLE MR. JUSTICE SAMEER JAIN

Order

18/03/2026

1. Present bail cancellation application is moved under Section 483(3) of BNSS on behalf of the complainant/applicant seeking cancellation of the concession of bail granted to the accused-respondent No. 2 vide order dated 19.05.2025 in connection with FIR No. 46/2025 registered at Police Station Manpur District Dausa for the offences under Section 189(2), 109(1), 140(3), 308(2), 111(2)(b) of BNS.

2. It is submitted that though scope of the bail cancellation application is very limited but on alarming and *prima facie* reasons, where conscious of Court is touched, bail which is granted to the accused can be revoked. Instant case is an illustration of the same, wherein the accused, having as many as fifteen criminal antecedents, against whom allegations of inflicting

grievous injuries at regular intervals against the drivers and conductors of the public transport have been leveled. It is further submitted that said bail order was passed without filing of charge-sheet and the learned Trial Court has primarily not considered the said issue while granting concession of bail to the accused-respondent.

3. Learned Public Prosecutor has supported the present bail cancellation application.

4. Learned counsel for the accused-respondent has opposed the prayer of the applicant and has submitted that the concession of bail was granted to the accused in the year 2025 and even in most of the cases having strong criminal antecedents, acquittal orders have already been passed. Moreover, it is submitted that the accused has falsely been implicated in the matter.

5. Having heard the arguments advanced by the learned counsel for the parties and considering the fact that learned Trial Court without analyzing the gravity of the case at hand; that there are as many as fifteen criminal antecedents registered against the accused; that heinous allegations of inflicting grievous injuries at regular intervals against the drivers and conductors of the public transport have been leveled against the accused, relying upon the ratio spelled out by the Hon'ble Supreme Court in **Himanshu Sharma v. State of Madhya Pradesh: 2024 INSC 139** & **Ms. Y v. State of Rajasthan, AIR 2022 SC 1910** and looking to the overall facts and circumstances of the case and material on record but without commenting on merits/demerits of the case, this court is inclined to allow the present bail cancellation application

6. In light of the above facts and circumstances, the present bail cancellation application is allowed. The benefit of bail extended to the non-applicant No. 2 vide order dated 19.05.2025 ceases to operate, henceforth. Accordingly, the order dated 19.05.2025 is hereby quashed and set aside.

7. Accordingly, the present bail cancellation application stands disposed of. Pending application(s), if any, also stand(s) disposed of.

8. The Registrar (Judicial) is directed to send a copy of the present order to the concerned District Judge.

(SAMEER JAIN),J