

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.4803/2015

Amar Singh S/o Shri Mangoli, R/o Village Kherla, Police Station
Wajirpur, Distt. Sawaimadhopur Raj.

-----Petitioner

Versus

State Of Rajasthan Through PP

-----Respondent

For Petitioner(s) : Mr. Jitendra Pandey

For Respondent(s) : Mr. Jitendra Singh Rathore, PP

JUSTICE ANOOP KUMAR DHAND

Order

12/03/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made for converting the arrest warrants issued in the name of the petitioner into bailable warrants. A challenge has also been made to the impugned order dated 20.08.2015, passed by the Additional Chief Judicial Magistrate, Mahua, District Dausa in Criminal Case No.117/2008, by which the application submitted by the petitioner under Section 70(2) Cr.P.C. has been rejected.

2. Perusal of the impugned order indicates that the petitioner is facing trial for the offence under Section 5/8 of the Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, 1995 since 2008. It appears that on account of the petitioner's failure to appear before the Court, his bail bonds were forfeited on 12.08.2008 and subsequently, arrest warrants were issued against him. Thereafter, the petitioner remained absconding for seven years until

07.08.2015 when the aforementioned application was submitted by the petitioner under Section 70(2) Cr.P.C. with the prayer for converting the arrest warrants issued against him into bailable warrants. No satisfactory reason has been assigned in the aforesaid application with regard to prolonged period of absence of the petitioner, except that on account of starvation of his family, the petitioner went outside to earn bread and butter for his family.

3. Considering overall facts and circumstances of the case, this Court deems it just and proper to dispose of the instant petition with the following order:

“(I) The petitioner would deposit a sum of Rs.10,000/- with the Trial Court within a period of four weeks from today. The aforesaid amount be deposited in the Litigants Welfare Fund and the same shall be utilized for the poor litigants having no source of income to litigate their matters.

(II) The petitioner would plant 25 shade bearing trees in his vicinity in public area. The aforesaid process would be carried over by him within a period of two weeks from the date of receipt of the copy of this order.

(III) The petitioner would submit the photographs of these shade bearing trees along-with an undertaking before the Trial Court to show that the Condition No.II imposed by this Court has been duly complied with by him and he would take care of these plants till they grow and get in proper shape and he would submit the actual photographs of trees at the end of every three months in every year till conclusion of the trial.

4. The reasons for passing this present order directing the petitioner to plant 25 shade bearing trees is in the interest of the public at large and for the greater public good. Planting trees as directed above, is one such initiative, which this Court considers to be appropriate, as trees, for as long as they thrive whether for decades or centuries will continuously and silently offer numerous benefits to the city and the surrounding community. Future generations will benefit from a cleaner, fresh and oxygen-rich environment.

5. In case, the petitioner complies with the aforesaid conditions within the above stipulated period, the arrest warrants issued against the petitioner would be treated as bailable warrants and in case, the petitioner surrenders before the Trial Court within a period of four weeks from today, the Trial Court may release him on bail subject to its satisfaction.

6. In case, the trial is already concluded, then this order would not have any effect.

7. With the aforesaid observations and directions, the criminal misc. petition along with all applications (pending, if any) stand disposed of.

(ANOOP KUMAR DHAND),J