

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 6644/2025
CNR: RJHC020885612025 | URN: CRLMP / 15363U / 2025

Ajay Singh S/o Shri Surendra Singh, Aged About 23 Years, R/o
Dhani Aamawali, Tan Ratanpura, Mau, Tehsil Shrimadhopur,
District Sikar.

-----Petitioner

Versus

1.

State Of Rajasthan, Through Public Prosecutor.

-----Respondent
2.

Smt. Sampati Devi, W/o Late Ramji Lal Bhargava, R/o
Village Nathusar, Tehsil Shrimadhopur, District Sikar,
Rajasthan.

-----Complainant/Respondent

For Petitioner(s)	:	Mr. Vijay Kumar Jangid, Adv.
For Respondent(s)	:	Ms. Arti Sharma, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN
Order

20/07/2026

1.

The instant Criminal Misc. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been preferred by the petitioner assailing the order dated 08.09.2025 passed by the learned Additional District & Sessions Judge, Shrimadhopur, District Sikar in Supurdgi Application CIS No.20/2025, whereby the application preferred by the petitioner under Section 497 of the BNSS, 2023 seeking interim custody (supurdgi) of vehicle i.e. Tata Punch Car bearing registration No. RJ-37-CC-2444 was dismissed. The said vehicle was seized in connection with FIR No.493/2024 registered at Police Station Shrimadhopur, District Sikar for offence under Section 309(6) of the BNS.
2.

Learned counsel for the petitioner submits that petitioner was not named in the FIR and has been falsely implicated in the present case. Counsel submits that petitioner is the registered

owner of the aforesaid vehicle and possesses a valid registration certificate. Counsel submits that investigation has been completed and if the vehicle in question is not released then the same will get deteriorated in police station as no proper arrangements has been made to safeguard its custody. Counsel further submits that the learned Court below has failed to appreciate the settled legal position governing release of seized vehicles on supurdgi and has wrongly rejected the application, therefore, considering the aforesaid facts, the present petition may be allowed.

3. Per Contra, learned State Counsel opposes the submission made by the counsel for the petitioner and contends that the trial Court has rightly dismissed the application filed by the petitioner and custody of the vehicle used in the alleged offence is necessary for just decision of the case, therefore, the present petition may be dismissed.

4. Heard learned counsel for the parties and perused the material available on record.

5. Having considered the submissions advanced by learned counsel for the petitioner and upon perusal of the material available on record, more especially the fact that the investigating agency, after thorough investigation concluded that the vehicle in question was purchased by the petitioner from the proceeds allegedly generated through the offence of robbery; the material collected during investigation further reveals that the vehicle was recovered pursuant to the information furnished by the petitioner and the bank transaction records indicate that payments aggregating to Rs.3,00,000/- were made by the petitioner to Daksh Motor during the period from 27.12.2024 to 30.12.2024

towards the purchase of the vehicle, establishing prima facie involvement of the petitioner in the alleged offence, therefore, considering the aforesaid circumstances and the fact that trial is pending, this Court does not find any illegality or perversity in the impugned order passed by the learned trial Court.

6. Accordingly, the instant Criminal Misc. Petition is hereby dismissed.

7. Stay application and pending application(s), if any, also stand dismissed.

(ANIL KUMAR UPMAN),J