

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.8593/2024

Jeevan Lal Son Of Nathulal Meena, R/o Ward No. 5, Sandani,
Sandani, Pratapgarh (Raj).

(Registered Owner Of Vehicle No. RJ-35-GA-2559).

-----Petitioner

Versus

1. State Of Rajasthan, Through P.P.
2. Pradeep Singh Son Of Girdhar Singh, R/o Sandanda Road,
Kekri City, District Kekri.

-----Respondents

For Petitioner(s)	:	Mr. Abdul Wahid Naqvi
For Respondent(s)	:	Mr. Rajesh Choudhary, GA-cum-AAG Mr. Vijay Singh Yadav, PP

JUSTICE ANOOP KUMAR DHAND

Order

12/05/2026

1. By way of filing the instant criminal misc. petition, the validity of the order dated 21.11.2024 passed by the District Collector, Kekri has been assailed before this Court.
2. By passing the impugned order dated 21.11.2024, the District Collector, Kekri has passed an order for release of the vehicle of the petitioner subject to furnishing/depositing the equal amount of the insurance of the vehicle.
3. Aggrieved by the aforesaid condition, the petitioner has approached this Court by way of filing the instant criminal misc. petition.
4. As per Section 7(3) of the Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or

Export) Act, 1995 (hereinafter referred to as "the Act of 1995"), the aforesaid order is appealable before the court of Divisional Commissioner.

5. Instead of filing statutory appeal under Section 7(3) of the Act of 1995, the petitioner has straightaway approached this Court by way of filing the instant petition by-passing the jurisdiction of the said appellate authority.

6. It is settled proposition of law that whenever statutory remedy of filing an appeal is available to a person, he/she cannot be allowed to bypass the jurisdiction of the said authority.

7. On this count alone, the instant criminal misc. petition stands disposed of granting liberty to the petitioner to file statutory appeal under Section 7(3) of the Act of 1995.

8. In case, any appeal is submitted by the petitioner before the Appellate Authority within a period of four weeks from today, the Appellate Authority is expected to hear and decide the same on its merits after affording due opportunity of hearing to all the respective parties, expeditiously as early as possible, ignoring the period of limitation.

9. Stay application and all applications (pending, if any) also stand disposed of.

(ANOOP KUMAR DHAND),J