

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 18005/2025

[Arising out of impugned final judgment and order dated 09-09-2025 in SBCRMFSOSA(A) No. 1606/2025 passed by the High Court of Judicature for Rajasthan at Jaipur]

PRAKASH

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

FOR ADMISSION

IA No. 286789/2025 - EXEMPTION FROM FILING O.T.

Date : 12-02-2026 This matter was called for hearing today.

**CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN**

For Petitioner(s) : Mr. Namit Saxena, AOR

**For Respondent(s) : Mr. Shiv Mangal Sharma, A.A.G.
Mr. Puneet Parihar, Adv.
Mr. Siddharth Bishnoi, Adv.
Ms. Nidhi Jaswal, AOR**

O R D E R

Heard learned counsel for the petitioner.

2. The petitioner is aggrieved by rejection of his prayer for suspension of sentence and grant of bail by the Rajasthan High Court, bench at Jaipur in S.B. Criminal Misc. 4th Suspension of Sentence Application (Appeal) No.1606/2025 in S.B. Criminal Appeal No. 1595/2024.

3. The allegation against the petitioner is that he was part of a mob which had vandalized the house of the complainant.

4. Learned counsel for the petitioner submits that the local

villagers had been forced to agitate the matter before the Authorities as also the persons, who were carrying illegal mining/stone crushing in the area. It was submitted that when the Officers did not pay heed to any of their complaints, the crowd went out of control and in the heat of the moment some incident occurred. He submits that he is not justifying the event. However, he drew the attention of the Court to the injuries suffered by the complainant and others to indicate that all were simple scratches over the body. It was further submitted that the petitioner has no criminal antecedent and just because he was the brother of the Sarpanch, he has been made an accused. It was further contended that all other co-accused have been granted bail. It was contended that the petitioner has now been in custody for almost one and a half years in the case in which the petitioner has been convicted and sentenced to 10 years rigorous imprisonment and prays for suspension of sentence and release on bail.

5. Learned counsel for the State submits that there are serious allegations of criminal misconduct against the petitioner and he had a major role as he was leading the mob and thus rightly his bail has been denied.

6. Having considered the matter in its entirety, we are inclined to allow the prayer for suspension of sentence and release of the petitioner on bail during the pendency of the appeal before the Rajasthan High Court.

7. Accordingly, the petitioner be released on terms and conditions as may be fixed by the Trial Court.

8. Before parting, we notice that this case requires further action. The Court puts it anguish on record. Clearly the present

incident is the direct result of total inaction by the concerned Authorities, who were repeatedly approached to stop/check the illegal mining and Stone crushing units, that too, by the villagers concerned which were being operated by the complainant and other people.

9. It appears that the authorities were totally silent, and not even an attempt was made to verify whether as per the complaint, the complainant and others had exceeded their mining areas or were carrying out such activity without proper required clearances.

10. Accordingly, learned counsel for the State shall furnish before us the names and designation of all the Officers who were there at the relevant point of time and due to whose inaction the present incident occurred. As this is not an isolated case which has come to the notice of the Court, we direct the learned counsel for the State to furnish the names.

11. Further, to facilitate matters, let learned counsel for the petitioner bring on record by filing affidavit of all the relevant petitions, applications and material to show that there was illegal mining/stone crushing being done in that area. The same should be filed within two weeks upon service on learned counsel for the State.

12. List on 20.03.2026.

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR