RAJASTHAN HIGH COURT
सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 7960/2026
CNR: RJHC020484312026 | URN: CRLMB / 14563U / 2026

Rajasthan High Court
सत्यमेव जयते
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Tulchharam Kaler S/o Asharam, Aged About 58 Years, R/o Rampura, P.S Chhapar, District Churu, Rajasthan.
(Accused In Present Confined In Central Jail, Jaipur).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. K.C. Sharma
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP Mr. Manish Charan, C.I. SOG, Jaipur

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HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

26/11/2026

1. This second bail application under Section 483 of BNSS is filed by the applicant-accused **Tulchharam Kaler S/o Asharam** seeking bail in respect of a criminal case registered as FIR No.35/2025 registered at P.S. SOG, Jaipur, for the offence under Sections 420, 120-B of IPC, 4, 5, 6 of Rajasthan Public Examination (Prevention of Unfairmeans) Act, 1992 and 66-D of I.T. Act, 2008.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the trial against him is complete and he is no more required in trial. He further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon’ble Court. He also submits that the

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applicant undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for petitioner submits that first bail application of present petitioner was dismissed on 01.09.2025 and since then since then no progress have been achieved in the criminal case pending before the learned trial court. He also submitted that the petitioner has been granted bail in almost all pending cases and currently he is in custody for more than two and a half years. He also submitted that out of 78 witnesses listed by the prosecution only two were examined by the learned trial Court and there is no likelihood to record statement of remaining witnesses. He also submitted that there is no evidence against the petitioner and identically placed persons Paurav Kaler was granted bail by a Co-ordinate Bench on 08.04.2026. He also submitted that several other persons were granted bail in the matter, therefore, the petitioner is entitled for bail.

4. Aforesaid contentions were opposed by learned Public Prosecutor and he submitted order dated 18.05.2026 in case of Rajaram @ Raju Matrix passed by Hon'ble Supreme Court and submitted that despite period of custody the bail application of Rajaram @ Raju Matrix was dismissed by Hon'ble Supreme Court.

5. Heard learned counsel for petitioner and learned Public Prosecutor and perused the material placed on record.

6. First bail application of present petitioner was considered and dismissed by this court on 01.09.2025 wherein we have observed as under:-

> 6. On basis of a complaint lodged by Secretary RPSC, Ajmer against Saroj Vishnoi and others for cheating, use of unfairnmeans and paper leak and use of Bluetooth by 16 and more accused, an FIR is registered on 17.07.2025.

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During investigation, SOG has found role and involvement of present applicant-accused and arrested him on 21.07.2025. The trial Court has dismissed bail application on 04.08.2025.

7. Learned counsel for applicant-accused has referred the bail order in 7 cases passed by a Co-ordinate Bench of this Court at Jaipur and also at Jodhpur wherein present applicant was released on bail in different cases. Two Criminal cases registered against the applicant-accused have resulted in his favor and Trial Court has recorded the order of acquittal. Today, we have decided a bunch of 53 cases in a matter relating to *Sub-Inspector Direct Recruitment Examination, 2021* and we have dealt in detail the principle of grant of bail. We are referring and relying upon order in case of **Sharwanram @ Sharwan Babal S/o Harsukhram (S.B. Criminal Miscellaneous Bail Application No. 197/2025),** and other applicant-accused wherein present applicant Tulchharam Kaler S/o Asharam is also one of the applicant in said bunch of 53 matters.

7. While considering SLP (Criminal) No.7556/2026 in respect of Rajaram @ Raju Matrix, Hon'ble Supreme Court has dismissed the same on 18.05.2026 thereby denying the bail of Rajaram @ Raju Matrix. A Co-ordinate Bench has allowed bail of Paurav Kaler on 08.04.2026. Though there are 8 criminal cases against Paurav Kaler and reported by learned trial Court in order dated 31.01.2026.

8. A report submitted by learned Public Prosecutor on behalf of SOG reflect that total 16 criminal cases were registered of identical nature against the petitioner.

9. It means the petitioner is regularly involved in the criminal cases of identical nature. The petitioner is a part of of organized syndicate, regularly indulged in influencing the public examination that too on monetary benefits.

10. In case of **Zeba Khan vs. State of U.P. & Ors. reported in 2026 INSC 144**, Hon'ble Supreme Court has allowed bail cancellation filed by a complainant against grant of bail by the High Court. After noticing the fact that there were criminal antecedents against the accused who was enlarged on bail. In

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case of **State of Karnataka v. Vinay Rajashekharappa Kulkarni & Anr. reported in 2026 INSC 1265**, Hon'ble Supreme Court has considered criminal antecedents as one of the grounds as well as period of custody with reference to Article 21 of the Constitution of India. After considering the gravity of crime which affects the administration of criminal justice the bail granted by the High Court was set aside.

11. In case of **Rajni vs. State of Punjab 2026 SCC OnLine SC 1050**, Hon'ble Supreme Court has allowed the appeal of the complainant and bail granted to the accused has been cancelled on the ground that the criminal antecedents are a material factor bearing directly on the likelihood of an accused abiding by bail condition, refraining from repeating offences and desisting from intimidating witnesses and therefore must weigh heavily while considering bail.

12. Having considered the entirety of facts and circumstances of the case and also the fact that the petitioner is having a criminal antecedents and that too with a checkered history is not entitled for bail only on the ground that there is a delay in trial.

13. In view of discussion made herein above, no ground is made out to grant bail to the petitioner on any of the count including delay in trial and on ground of parity with Paurav Kaler, who was granted bail by a Co-ordinate Bench.

14. The facts and the material indicate that the alleged offence are of serious nature and role attributed to applicant is prima facie sufficient to consider complicity of applicant in the crime. Therefore, at this juncture, considering the evidence collected so far, this is not a fit case to enlarge the applicant accused on bail.

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15. Considering the gravity of allegations and overall facts and circumstances of the case, it is appropriate to dismiss the bail application of the applicant accused at this stage.

16. In view of discussion hereinabove, the second bail application under Section 483 of BNSS preferred by **Tulchharam Kaler S/o Asharam** is hereby dismissed.

(ASHOK KUMAR JAIN),J

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