



RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 11454/2026
CNR: RJHC010873492026 | URN: CRLMB / 24905U / 2026

Manish Kumar

----Petitioner

Versus

State Of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Ravi Bhansali, Sr. Adv. assisted by Mr. Shubham Modi Mr. Suresh Kumbat Mr. Baltej Singh Sandhu
For Respondent(s)	:	Mr. Deepak Choudhary, AAG assisted by Mr. Vikram Singh Rajpurohit, PP

HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

24/08/2026

1. This Court has the regular roster of matters under Section 482Cr.PC./ 528 BNSS. Today, certain bail applications, which have been transferred to this Court due to upcoming *Rakhi* vacation, have been listed before this Court. These bail applications are fresh in nature and are being listed before this Court for the first time.
2. It is a usual practice that a bail application is initially listed before the Court after 4-5 days from the date of its filing in the Registry of the Court. Thereafter, when the matter is taken up, the Court calls for the case diary from the concerned Police Station. However, this process generally takes 15-20 days, from the first listing and then taking up the matter on merits, thereby, resulting in unnecessarily delays in hearing of the bail applications expeditiously on merits, more specifically also in the matters



which are of petty offences and can be decided on merits at the earliest and sometimes even without the case diary, depending upon facts of each case.

3. In view of this, this Court called upon learned Government Advocate-cum-Additional Advocate General, Mr. Deepak Choudhary, to assist this Court as to whether case diary or factual report of the FIR can be called in advance. It has been informed that calling for the case diary at the initial stage may, in certain cases, cause difficulty in completion of the ongoing investigation apart from other problems. However, on filing of a bail application in the office of Government Advocate-cum-Additional Advocate General, their office shall, now, immediately communicate the same to the concerned Police Station for furnishing the factual report, preferably within a period of 3-7 days, so that the bail application may be considered on merits at the earliest without any unnecessary delay in the cases where person are behind the bars. If the factual report is not sufficient then the case diary may thereafter be called in cases where the Court considers it necessary for consideration of other allegation mentioned in the FIR or for other reasons.

4. In this regard, this Court also heard learned Senior Counsel Mr. Ravi Bhansali, assisted by Mr. Shubham Modi and Mr. Suresh Kumbat as well as other learned counsel for their suggestions. They jointly suggested that, on filing of a bail application, the office of Government Advocate-cum-Additional Advocate General may be directed to call the factual report at the first instance, so that the bail applications involving petty matters may be heard and decided at the earliest in cases where person are in jail.





5. Learned GA-cum-AAG further submitted that furnishing of the factual report may not be made mandatory, however, their office will make all possible efforts to obtain the same as far as possible without any unnecessary delay.

6. This Court is conscious of the fact that the issue of delay in the hearing of bail applications is a matter of significant concern, which has recently been noted by the Hon'ble Supreme Court. In the case of **Sunny Chauhan v. State of Haryana** in **SLP (Criminal) No. 1613/2026**, Hon'ble Supreme Court took cognizance of the pendency of bail applications before various High Courts and issued several directions to ensure their timely disposal. The Hon'ble Court observed that **"among the miscellaneous matters, nothing can be more important than deciding the fate of an application for bail"** and emphasis was laid on the need for prioritizing the hearing of such matters, which involve the precious liberty of individuals. The above direction of Hon'ble Apex Court needs to be adopted by this Court so as to curtail unnecessary delays in taking up and ensuring that bail applications are heard on merits at the earliest.

7. In view of the above, the office of GA-cum-AAG is directed to ensure that the factual report of concerning the FIR is called for on the first instance, preferably within a period of 3-7 days from the date of filing of application and submission of copy in their office by concerned SHO/IO. The GA office shall maintain the record of communication to the concerned Police Station/ Agency in this regard. On that basis, the bail application will be heard and decided on merits in the cases of petty and other offences unless the Court considers that it is necessary to call case diary for



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adjudication of the matter, which will depend upon case to case basis.

8. Learned Public Prosecutor is directed to procure the case diary of this case on the next date of hearing.

9. List this case on 03.09.2026.

(RAVI CHIRANIA),J

242/Payal Dhawan

