HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Writ Petition No. 1450/2026

Gokal Ram S/o Motaram, Aged About 32 Years, R/o Sarali Police Station Sadar District Barmer Rajasthan Through His Sister Dalu Alias Deepika D/o Motaram Aged About 27 Year R/o Sarali District Barmer Rajasthan

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary Department Of Home Government Secretary Jaipur
2. The Commissioner Of Police, Jodhpur Metropolitan, Jodhpur
3. The Deputy Commissioner Of Police (Dcp), Jodhpur West Jodhpur Metropolitan
4. The Sho, Police Station Luni Jodhpur Metropolitan

----Respondents

For Petitioner(s)	:	Kumari Daloo (sister of the petitioner)
For Respondent(s)	:	Mr. Deepak Chaudhary, AGA assisted by Mr. SriRam Choudhary
Present-in-Person	:	Shri Sharat Katiraj, CP Smt. Kamal Shekhawat, DCP(W) Smt. Neeraj Sharma, ADCP (W) Shri Suresh Chaudhary, SHO, PS Luni Shri Goverdhan Ram, SI, SHO, PS Luni

HON'BLE MR. JUSTICE FARJAND ALI

Order

REPORTABLE

30/04/2026

GRIEVANCE

1. The instant writ petition under Article 226 and 227 of the Constitution of India r/w Section 528 of the BNSS has been preferred by the petitioner whereby he is aggrieved by the

allegations mentioned in the impugned FIR and subsequent proceedings.

FACTS OF THE CASE

2. Briefly stated the facts as stated in the FIR are that on the intervening night of 10–11 November 2025, the SHO of Police Station Luni, along with his team, acting on prior information received from the Anti-Narcotics Task Force, laid a naka at Kharabera Purohitan and intercepted a Scorpio vehicle bearing registration No. MH 03 DX 6297. The driver, identified as accused Gokalaram, attempted to flee but was apprehended, while a co-occupant escaped under cover of darkness. After complying with the mandatory provisions of the NDPS Act, a search of the vehicle was conducted, leading to recovery of 27 sealed sacks containing contraband doda post with a total weight of approximately 5 quintals 43 kilograms, along with 35 live cartridges, one empty magazine, and six pairs of fake number plates. During interrogation, the accused disclosed the involvement of other persons and admitted that the contraband was being transported from Kapasan to Dechu for supply. Consequently, offences under Sections 8/15 of the NDPS Act, 3/25 of the Arms Act, and relevant provisions of the BNS were found to be made out, and the accused was arrested while the contraband and vehicle were seized in accordance with law.

OBSERVATION

3. Having heard the sister of the petitioner, who is present before this Court and upon perusal of the material available on record and particularly the video shown in the Court, this Court is

constrained to observe that the present matter raises issues of a very serious nature, touching upon the fairness and sanctity of criminal investigation.

4. It is not in dispute that even the Commissioner of Police, upon a prima facie examination, has noticed certain irregularities in the manner in which the investigation has been conducted. What is recited in the parcha kayami and the seizure memo appears to be in stark contradiction to what is depicted in the video placed before this Court. The video, if taken at its face value, narrates an entirely different story. If such video evidence is found to be authentic, it would prima facie indicate that the very foundation of the prosecution case, as reflected in the FIR, may be doubtful. This Court cannot remain oblivious to the alarming possibility that an individual may have been falsely implicated in an offence carrying severe punishment, allegedly at the instance of a responsible police officer. Such a situation, if true, strikes at the root of the rule of law and the credibility of the criminal justice system.

Scope and Permissibility of Re-Investigation and Further Investigation

5. At this juncture, it becomes necessary to advert to the distinction between further investigation and re-investigation, as expounded by the Hon’ble Supreme Court in **Vinay Tyagi v. Irshad Ali** reported in (2013) 5 SCC 762. The Hon’ble Supreme Court held that while further investigation is ordinarily permissible, re-investigation is an extraordinary step to be directed sparingly, in order to secure the ends of justice where the initial

investigation is found to be fundamentally flawed. For the ease of reference, the relevant paragraphs of the judgments are reproduced herein below:-

> "13. Having noticed the provisions and relevant part of the scheme of the Code, now we must examine the powers of the Court to direct investigation. Investigation can be ordered in varied forms and at different stages. Right at the initial stage of receiving the FIR or a complaint, the Court can direct investigation in accordance with the provisions of Section 156 in exercise of its powers under Section 156 of the Code. Investigation can be of the following kinds:
> (i) Initial Investigation.
> (ii) Further Investigation.
> (iii) Fresh or de novo or re-investigation.
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> 14. The initial investigation is the one which the empowered police officer shall conduct in furtherance to registration of an FIR. Such investigation itself can lead to filing of a final report under Section 173 of the Code and shall take within its ambit the investigation which the empowered officer shall conduct in furtherance of an order for investigation passed by the court of competent jurisdiction in terms of Section 156 of the Code.
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> 15. 'Further investigation' is where the Investigating Officer obtains further oral or documentary evidence after the final report has been filed before the Court in terms of Section 173. This power is vested with the Executive. It is the continuation of a previous investigation and, therefore, is understood and described as a 'further investigation'. Scope of such investigation is restricted to the discovery of further oral and documentary evidence. Its purpose is to bring the true facts before the Court even if they are discovered at a subsequent stage to the primary investigation. It is commonly described as 'supplementary report'. 'Supplementary report' would be the correct expression as the subsequent investigation is meant and intended to supplement the primary investigation conducted by the empowered police officer. Another significant feature of further investigation is that it does not have the effect of wiping out directly or impliedly the initial investigation conducted by the investigating agency. This is a kind of continuation of the previous investigation. The basis is discovery of fresh evidence and in continuation of the same

offence and chain of events relating to the same occurrence incidental thereto. In other words, it has to be understood in complete contradistinction to a 'reinvestigation', 'fresh' or 'de novo' investigation.

16. However, in the case of a 'fresh investigation', 'reinvestigation' or 'de novo investigation' there has to be a definite order of the court. The order of the Court unambiguously should state as to whether the previous investigation, for reasons to be recorded, is incapable of being acted upon. Neither the Investigating agency nor the Magistrate has any power to order or conduct 'fresh investigation'. This is primarily for the reason that it would be opposed to the scheme of the Code. It is essential that even an order of 'fresh'/'de novo' investigation passed by the higher judiciary should always be coupled with a specific direction as to the fate of the investigation already conducted. The cases where such direction can be issued are few and far between. This is based upon a fundamental principle of our criminal jurisprudence which is that it is the right of a suspect or an accused to have a just and fair investigation and trial. This principle flows from the constitutional mandate contained in Articles 21 and 22 of the Constitution of India. Where the investigation ex facie is unfair, tainted, mala fide and smacks of foul play, the courts would set aside such an investigation and direct fresh or de novo investigation and, if necessary, even by another independent investigating agency. As already noticed, this is a power of wide plenitude and, therefore, has to be exercised sparingly. The principle of rarest of rare cases would squarely apply to such cases. Unless the unfairness of the investigation is such that it pricks the judicial conscience of the Court, the Court should be reluctant to interfere in such matters to the extent of quashing an investigation and directing a 'fresh investigation'. In the case of Sidhartha Vashisht v. State (NCT of Delhi) (2010) 6 SCC 1, the Court stated that it is not only the responsibility of the investigating agency, but also that of the courts to ensure that investigation is fair and does not in any way hamper the freedom of an individual except in accordance with law. An equally enforceable canon of the criminal law is that high responsibility lies upon the investigating agency not to conduct an investigation in a tainted or unfair manner. The investigation should not prima facie be indicative of a biased mind and every effort should be made to bring the guilty to law as nobody stands above law de hors his position and influence in the society. The maxim contra veritatem lex nunquam aliquid permittit applies to exercise of powers by the courts while granting approval or declining to accept the

report. In the case of Gudalure M.J. Cherian and Ors. v. Union of India and Ors. (1992) 1 SCC 397, this Court stated the principle that in cases where charge-sheets have been filed after completion of investigation and request is made belatedly to reopen the investigation, such investigation being entrusted to a specialized agency would normally be declined by the court of competent jurisdiction but nevertheless in a given situation to do justice between the parties and to instil confidence in public mind, it may become necessary to pass such orders. Further, in the case of R.S. Sodhi, Advocate v. State of U.P. 1994 SCC Supp. (1) 142, where allegations were made against a police officer, the Court ordered the investigation to be transferred to CBI with an intent to maintain credibility of investigation, public confidence and in the interest of justice. Ordinarily, the courts would not exercise such jurisdiction but the expression 'ordinarily' means normally and it is used where there can be an exception. It means in the large majority of cases but not invariably. 'Ordinarily' excludes extra-ordinary or special circumstances. In other words, if special circumstances exist, the court may exercise its jurisdiction to direct 'fresh investigation' and even transfer cases to courts of higher jurisdiction which may pass such directions.

17. Here, we will also have to examine the kind of reports that can be filed by an investigating agency under the scheme of the Code. Firstly, the FIR which the investigating agency is required to file before the Magistrate right at the threshold and within the time specified. Secondly, it may file a report in furtherance to a direction issued under Section 156 of the Code. Thirdly, it can also file a 'further report', as contemplated under Section 173(8). Finally, the investigating agency is required to file a 'final report' on the basis of which the Court shall proceed further to frame the charge and put the accused to trial or discharge him as envisaged by Section 227 of the Code.

18. Next question that comes up for consideration of this Court is whether the empowered Magistrate has the jurisdiction to direct 'further investigation' or 'fresh investigation'. As far as the latter is concerned, the law declared by this Court consistently is that the learned Magistrate has no jurisdiction to direct 'fresh' or 'de novo' investigation. However, once the report is filed, the Magistrate has jurisdiction to accept the report or reject the same right at the threshold. Even after accepting the report, it has the jurisdiction to discharge the accused or frame the charge and put him to trial. But there are no provisions in the Code which empower the Magistrate to disturb the

> status of an accused pending investigation or when report is, filed to wipe out the report and its effects in law. Reference in this regard can be made to K. Chandrasekhar v. State of Kerala (1998) 5 SCC 223; Ramachandran v. R. Udhayakumar (2008) 5 SCC 413, Nirmal Singh Kahlon v. State of Punjab and Ors. (2009) 1 SCC 441; Mithabhai Pashabhai Patel and Ors. v. State of Gujarat (2009) 6 SCC 332; and Babubhai v. State of Gujarat (2010) 12 SCC 254."

5.1 It is well-settled that "further investigation" and "re-investigation" (also described as fresh or de novo investigation) operate in distinct fields and are invoked in entirely different factual matrices.

5.2 Further investigation is essentially a continuation of the earlier investigation. It is undertaken to supplement the material already collected and proceeds on the foundational premise that the substratum of the prosecution case, as reflected in the FIR, is broadly intact and not inherently suspect. The object of such investigation is to fill in the gaps, collect additional evidence, and bring on record such material which may have been left out earlier, without disturbing the core structure of the case already built. It neither obliterates the earlier investigation nor renders it non est; rather, it adds to it so as to enable the Court to arrive at a more informed and complete adjudication.

5.3 Re-investigation, on the other hand, stands on a completely different footing. It is an extraordinary course, resorted to sparingly and only in exceptional circumstances where the Court, upon a prima facie assessment, finds that the very substratum of the case is under serious cloud. Such a course becomes imperative when the investigation already conducted appears to

be tainted, unfair, biased, or actuated by extraneous considerations, or is so perfunctory and designed in a manner that it tends to mislead the Court and subvert the ends of justice. In such situations, the Court cannot remain a silent spectator to a compromised investigation and may, in order to uphold the majesty of law and to secure the ends of justice, direct a fresh or de novo investigation from the very inception. Thus, while further investigation is supplementary in nature and preserves the earlier exercise, re-investigation effaces the earlier tainted process and seeks to rebuild the case on a clean and unblemished foundation, ensuring that the truth is unearthed through a procedure that is fair, transparent, and in strict adherence to law.

6. In the present matter, this Court is not confronted with a mere deficiency in investigation warranting supplementation. Rather, the issue goes to the root, namely, whether the incident as narrated from the very first line of the FIR occurred in the manner alleged at all. The time, place, and entire narrative of the occurrence appear to be under a cloud of suspicion. Therefore, this is not a case where further investigation would suffice. What is required is a reinvestigation from the very inception, re-examining the occurrence itself, the time and place of the alleged incident, the apprehension of accused, the authenticity of the seizure and recovery, and the veracity of the entire prosecution story.

6.1 The Court is conscious of the fact that, particularly in cases involving heinous offences, allegations may at times be disputed or clouded by competing narratives. Such circumstances cannot

dilute the fundamental requirement that the procedure adopted by the investigating agency remained strictly in consonance with law, fair in its application, and transparent in its execution.

Applicability of Section 105 of BNSS

7. Coming to Section 105 of the BNSS, it marks a significant procedural advancement, mandating that search and seizure operations be conducted with the aid of audio-video electronic recording, thereby introducing an element of objectivity into what was traditionally a witness-dependent process. The provision requires that such recording, along with the contemporaneous search record or panchnama, be forwarded to the jurisdictional Magistrate without undue delay, ensuring prompt judicial oversight. For the ease of reference, Section 105 of BNSS is reproduced hereinbelow:-

> "**105. Recording of search and seizure through audio-video electronic means.**
> The process of conducting search of a place or taking possession of any property, article or thing under this Chapter or under section 185, including preparation of the list of all things seized in the course of such search and seizure and signing of such list by witnesses, shall be recorded through any audio-video electronic means preferably mobile phone and the police officer shall without delay forward such recording to the District Magistrate, Sub-divisional Magistrate or Judicial Magistrate of the first class."

7.1 The use of the term "shall" makes the requirement obligatory in nature, reflecting a clear legislative intent to enhance transparency, accountability and fairness in investigative actions. In contrast to the earlier framework under the CrPC, which did not

mandate electronic recording and the process was relied substantially on independent witnesses, Section 105 of BNSS introduces technology as a safeguard against allegations of arbitrariness, fabrication or procedural irregularity. The introduction of this provision marks a significant shift in the investigative framework by integrating scientific and electronic techniques with the traditional methods of investigation. Such incorporation of technology-driven procedures not only ensures greater efficiency, transparency and objectivity in the process of investigation, but simultaneously strengthens the guarantee of fairness while fixing accountability upon the investigating officers. The legislative intent behind the BNSS clearly reflects a movement towards a more credible and evidence-oriented criminal justice system, wherein reliance upon forensic science and electronic means is accorded due prominence so as to minimize arbitrariness and enhance the sanctity of investigation. It is a manifestation of the evolving jurisprudential approach that investigation must not remain confined to conventional methods alone, but ought to advance in tune with modern scientific developments so as to inspire confidence in the administration of criminal justice. The provision thus aligns with the constitutional mandate of fair procedure under Article 21 of the Constitution of India and represents a shift towards a more reliable and verifiable system of criminal investigation.

Application of the provision to Special Statute

8. Section 2(1)(l) of the BNSS defines the term “investigation” in an inclusive manner so as to encompass all proceedings

undertaken by a police officer or by any person (other than a Magistrate) who is authorised in this behalf. The Explanation appended to Section 2(1)(l) of the BNSS further clarifies the legislative intent by providing that in the event of any inconsistency between the provisions of the BNSS and those contained in any special enactment, the provisions of such special enactment shall have an overriding effect to the extent of such inconsistency.

8.1 Section 51 of the NDPS Act stipulates that the provisions of the CrPC shall apply, insofar as they are not inconsistent with the provisions of the NDPS Act, to all warrants issued and arrests, searches and seizures made under the said Act. In view of the repeal and substitution of the CrPC by the BNSS, any reference to the CrPC occurring in Section 51 of the NDPS Act is liable to be construed as a reference to the BNSS, being the corresponding and prevailing procedural law governing criminal proceedings. That consequently, searches and seizures conducted under the NDPS Act are now required to be carried out in conformity with the procedural safeguards and mandates contained in Section 105 of the BNSS, insofar as the same are not inconsistent with the provisions of the NDPS Act. That thus, a harmonious construction of Section 2(1)(l) of the BNSS, its Explanation, and Section 51 of the NDPS Act leads to the inescapable conclusion that while the NDPS Act shall prevail in case of inconsistency, the procedure for search and seizure, in the absence of any such inconsistency, must strictly adhere to the framework envisaged under Section 105 of the BNSS.

Body-Worn Cameras: Need of an Hour

9. In this backdrop, it is informed by the AAG that in some cases, the police officers are wearing a body-worn cameras. This Court is of the considered view that the use of body-worn cameras during search and seizure operations ought to be adhered to with utmost rigor, specially in heinous crimes. Such measures not only lend credibility to the investigative process but also act as a safeguard against allegations of arbitrariness, fabrication, or procedural impropriety. It is trite that the authority of the State is not monarchical or unfettered; rather, it is circumscribed by the procedure established by law. The majesty of law lies not merely in its existence, but in its faithful observance. Therefore, whatever procedure the law mandates must be scrupulously followed in letter and spirit, leaving no room for deviation. This Court would insist that the investigating agencies adhere strictly to the prescribed legal procedure, ensuring that every step undertaken is fair, just, and transparent, so as to inspire confidence in the administration of criminal justice.

9.1 While, unlike jurisdictions such as the United States of America where the use of body-worn cameras has attained considerable operational acceptance through policy-driven mechanisms, the Indian framework has, as yet, not mandated such devices across all facets of policing, the introduction of Section 105 BNSS unmistakably reflects a legislative recognition of technology as a safeguard against arbitrariness. In that view of the matter, the principle underlying Section 105 BNSS can be legitimately regarded as a foundational step towards a broader

regime of electronic oversight, of which body-worn cameras would be a natural and progressive extension, in furtherance of the constitutional guarantee of fairness, dignity and transparency under Article 21 of the Constitution of India.

Re-Investigation: A De Novo Exercise Commencing The Investigation Afresh From Its Inception

8. In terms of Section 187(3) of the BNSS, the maximum permissible period for completion of investigation while the accused remains in custody is 60 days or 90 days, depending upon the nature and gravity of the offence. Upon failure of the investigating agency to file the police report within the stipulated period, an indefeasible right to default bail accrues in favour of the accused, which is enforceable upon filing of an application and furnishing of bail. The said right accrues immediately upon expiry of the prescribed period, i.e., on the 61st or 91st day, as the case may be.

8.1 It is to be noted that the mandate of default bail as engrafted under Section 187(3) of the BNSS obligates the investigating agency to conclude the investigation within the stipulated period while the accused remains in custody, failing which an indefeasible right accrues in favour of the accused. The said provision, though salutary in its intent to safeguard personal liberty, at times imposes a stringent timeline which may not be conducive to a fair, comprehensive and unhurried investigation, particularly in cases of considerable complexity.

8.2 Likewise, Section 36A(4) of the NDPS Act engrafts a special procedure departing from the general criminal law by prescribing a

statutory period of 180 days for completion of investigation in serious offences under the said Act while the accused remains in custody; that the said provision further empowers the Court to extend the period of investigation up to one year, but only upon a report of the Public Prosecutor indicating the progress of investigation and disclosing specific and compelling reasons necessitating continued detention; that such extension is not automatic but is conditional upon the judicial satisfaction of the Court founded on due application of mind; and that, in the absence of a valid extension so granted, an indefeasible right to default bail accrues in favour of the accused upon expiry of 180 days, which right cannot be defeated by any subsequent filing of the charge-sheet.

8.3 In the present case, the accused has already undergone incarceration for a period of 165 days, and it appears that the investigation, including any further probe, is unlikely to be concluded within the period as provided in Section 187(3) of BNSS.

8.3 It is further observed that the initial statutory period of 180 days, as contemplated under Section 36A(4) of the NDPS, ought, in all fairness, to be made meaningfully available to the investigating agency so as to enable it to undertake a focused and unhindered investigation. However, the continuation of custody of the accused during such period, particularly when substantial incarceration has already ensued, may operate to the detriment of both the liberty of the individual and the quality of investigation. In such a situation, continued detention of the accused would not

only impinge upon the mandate of Section 36A(4) of NDPS but may also result in a mechanical curtailment of liberty without corresponding progress in investigation.

8.4 This Court is therefore of the considered view that, in order to strike a balance between the imperatives of a fair investigation and the fundamental right to personal liberty, it would be just and proper to enlarge the accused on interim liberty, thereby ensuring that the investigating agency is afforded a reasonable, unhindered opportunity to carry out the investigation with due diligence, while at the same time preventing undue and prolonged incarceration of the accused.

OPINION

9. This Court is of the considered opinion that the manner in which the investigation has been conducted raises serious doubts about its fairness and credibility. The apparent contradiction between the official record and the visual material strikes at the very root of the prosecution case and cannot be lightly ignored. The present case does not merely warrant further investigation, but calls for a re-investigation, inasmuch as the substratum of the prosecution story itself appears to be under a cloud. In such circumstances, to preserve the sanctity of the criminal justice process and to uphold the mandate of fair investigation under Article 21 of the Constitution of India, a *de novo* exercise becomes imperative.

9.1 At the same time, this Court cannot remain unmindful of the period of incarceration already undergone by the accused and the statutory scheme governing default bail. The continued detention,

in the backdrop of a doubtful investigation and the time likely to be consumed in re-investigation, would not be justified. Accordingly, in order to strike a balance between the need for a fair and unhindered investigation and the fundamental right to personal liberty, this Court deems it just and proper to direct re-investigation of the case and to enlarge the accused on interim bail.

VERDICT AND DIRECTIONS

10. The instant petition is disposed of in the following directions:-

Directions regarding Re-investigation

(i) It is directed that a re-investigation of the present case be conducted from the very inception i.e. from the first line of the FIR, in accordance with what have been discussed in the preceding paragraphs.

(ii) The Commissioner of Police shall ensure that such re-investigation is entrusted to an independent officer not below the rank of Additional Superintendent of Police, who shall not be connected with the earlier investigation in any manner.

(iii) The re-investigating officer shall re-examine all relevant aspects, including but not limited to:-

(a) the time, place, and occurrence of the alleged incident and the mode, manner of apprehension;

(b) tower location and mobile data of the accused;

(c) the presence, role, and conduct of the police officials involved;

(d) the authenticity and legality of the search and seizure proceedings; and

(e) all other material evidence necessary to ascertain the truth of the allegations.

(iv) Considering that re-investigation, in its true import, entails a de novo exercise commencing from the inception of the investigation, it is deemed just and appropriate to provide ease to the agency to conduct investigation in full swing without having constraint of 180 days. Since the accused is presently under detention and the rigours of Section 187 BNSS r/w Section 36A(4) of the NDPS Act mandate filing of the charge-sheet within the prescribed statutory period of 180 days, this Court is of the view that the process of re-investigation may not be concluded within such limited time-frame. Consequently, in order to ensure that the liberty of the accused is not unnecessarily curtailed merely on account of the pendency of investigation, it is deemed appropriate to enlarge the accused on interim release. Resultantly, the rigours contemplated under Section 187 BNSS r/w Section 36A(4) shall not operate to the prejudice of the accused during such period. The said period shall be reckoned from the date of receipt of this order and the investigating officers shall ensure that the entire exercise is conducted with due diligence, expedition, and in strict adherence to the procedure prescribed.

(v) It is further directed that no unwarranted delay shall be occasioned, and the investigating agency shall make all earnest endeavours to conclude the re-investigation within the aforesaid stipulated period.

(vi) The re-investigating officer shall prepare a comprehensive analytical report, dealing with all aspects of the matter, and the same shall be placed before the competent Court within the time prescribed.

Directions regarding Search and Seizure

(vii) Search and seizure constitute a crucial armory in the investigative process. However, to ensure transparency and to insulate such actions from allegations of falsity, distortion, or fabrication, statutory safeguards have been introduced under Section 105 of the BNSS that states recording of search and seizure through audio-video electronic means. The substratum and very foundation of the prosecution case have come under a serious cloud with regard to their genuineness. Therefore, in the given circumstances, this Court is of the view that the rigours of Section 37 would not come in the way of granting temporary release to the accused.

(viii) This Court is informed that body-worn cameras have been provided to certain police officers. In order to enhance credibility and accountability. Having regard to the importance of transparency in investigative procedures, and in light of the safeguards contemplated under the BNSS, it is directed that in cases involving serious offences or offences carrying severe punishment, search and seizure operations shall mandatorily be conducted using body-worn cameras, in addition to videography as contemplated under Sections 105 and 185(2) of the BNSS preferably by the mobile phone cameras.

(ix) The Commissioner of Police shall ensure strict compliance with the aforesaid directions and take necessary steps for effective implementation.

Custody and Interim Release

(x) Accordingly, the accused shall be released for a period of 4 months, subject to the following conditions:-

(a) furnishing a personal bond of ₹1,00,000/-, and

(b) furnishing two sureties of ₹50,000/- each.

xi) The temporary release granted herein shall remain operative for a period of four months. In the event the process of re-investigation is not completed and the State agency requires further time to arrive at a legitimate conclusion of the re-investigation, both the parties shall be at liberty to move an appropriate application before this Court for further orders.

(xii) It is clarified that the above directions have been issued in view of the serious doubts arising with respect to the fairness of the investigation, while simultaneously balancing the gravity of the allegations.

10. Stay petition and all pending applications stands disposed of.

(FARJAND ALI),J

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