

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc(Pet.) No. 295/2026

Sukhdev Jat S/o Bherulal Jat, Aged About 47 Years, R/o
Gurajniya, Police Station Rashmi, District Chittorgarh, Rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Leeladhar Malviya S/o Nemichand Malviya, Presently Sho
Police Station Gangapur Sahada District Bhilwara
Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Vikas Balia, Sr. Adv. assisted by Mr. Aditya Sharma
For Respondent(s)	:	Mr. Ramesh Dewasi, PP Mr. Puran Mal, CI, SHO

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

07/04/2026

The instant criminal miscellaneous petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 160/2025 registered at Police Station Gangapur, District Bhilwara, for the offences under Sections 8 and 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, along with Sections 3 and 25 of the Arms Act, 1959.

The Investigating Officer is present along with the case diary.

Learned counsel for the petitioner submits that there is nothing on record except the information allegedly given by the co-accused under Section 27 of the Indian Evidence Act, 1872,

which cannot be read against the present petitioner. It is further submitted that there is no record of any phone calls or chats between the petitioner–accused and Keshar Lal or Chenaram. The Investigating Officer has not been able to point out any material beyond what has been argued by the learned counsel for the petitioner.

In view of the above, this Court is inclined to interfere in the matter.

Issue notice to the respondents.

Learned Public Prosecutor accepts notice on behalf of the respondent–State.

Let notice be issued to respondent No. 2, returnable on 05.05.2026.

In the meanwhile, and till the next date of hearing, the petitioner shall not be arrested in connection with FIR No. 160/2025 registered at Police Station Gangapur, District Bhilwara. However, the petitioner shall join the investigation.

The Investigating Officer shall submit a report on 05.05.2026.

(BALJINDER SINGH SANDHU),J