

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

S.B. Criminal Misc(Pet.) No. 359/2026

Sarla Devi D/o Banwari Lal, Aged About 34 Years, R/o
Degana,tehsil Degana,district Nagaur,rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Bhola Ram S/o Modaram, R/o Amarpura,sadar
Nagaur,district Nagaur,rajasthan

-----Respondents

For Petitioner(s) : Mr. Bhagirath Ray Bishnoi

For Respondent(s) : Mr. Vikram Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

25/03/2026

The present criminal misc. petition has been filed by the petitioner under Section 528 of BNSS for quashing of FIR No.148/2025, registered at Police Station Shri Balaji, District Nagaur for offence under Section 137(2) of BNS.

Learned counsel for the petitioner submits that the victim herself, in her statement, has stated that she had gone to the petitioner's house of her own free will. In light of such an admission, no offence under the alleged provisions is made out against the petitioner.

It is further submitted that the investigating agency is unnecessarily harassing the petitioner and is attempting to falsely implicate him without conducting a fair and proper investigation. Counsel specifically contends that the material statement of the victim has not been duly considered or appreciated by the

investigating authorities, rendering the investigation arbitrary and unsustainable in law.

Learned Public Prosecutor is directed to call for the fresh factual report.

In view of the submission made by the learned counsel for the petitioner, this Court is inclined to interfere.

In the meanwhile and till the next date of hearing, the petitioner may not be arrested in connection with FIR No.148/2025, registered at Police Station Shri Balaji, District Nagaur. However, petitioner shall join investigation.

(BALJINDER SINGH SANDHU),J

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