

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

S.B. Criminal Miscellaneous Bail Application No. 811/2025

1. Sanwarlal @ Shyamlal S/o Late Udaram, Aged About 29 Years, R/o Bhatinda Ki Dhani , Sawalata, Present 93, Bhato Ki Basti , Pabupura Nhatan , Jodhpur
2. Rajuram S/o Hariram, Aged About 35 Years, R/o Balaji Goshala Guda Vishnoiyan , Dist Jodhpur

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Nisha W/o Ramniwash, Aged About 29 Years, R/o Jaaguyo Ki Dhani , Balaji Nagar , Guda Vishnoiyan, P.s. Vivek Vihar , Jodhpur City West

-----Respondents

For Petitioner(s)	:	Mr. Ram Kishan Bishnoi
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Anand Singh, ACP, Boranada

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

03/04/2025

1. Learned counsel for the petitioner submitted that the FIR has been lodged by the prosecutrix who is a mature married woman after a delay of more than four years from the date when she was allegedly subjected to forcible sexual assault by the petitioners for the first time. It was submitted that no plausible explanation for lodging the FIR after a delay of more than four years has been furnished by the prosecutrix.

2. It was further contended that though as per the prosecutrix, the petitioners had also captured her obscene videos and photographs and threatened her to viral the same on social media

platforms but she has not produced any such material with the complaint/ FIR or before the investigating agency. Learned counsel submitted that the petitioners have been falsely roped in a criminal case by the prosecutrix owing to some previous animosity between the parties.

3. The matter requires consideration.
4. Issue notice to the respondents.
5. Learned Public Prosecutor accepts notice on behalf of respondent No.1- State. Thus, notice be issued to respondent No.2 only.
6. Learned Public Prosecutor is directed to ensure service upon respondent No.2 through the concerned SHO.
7. In the meanwhile and till next date of hearing, the petitioners shall not be arrested in connection with FIR No.121/2024 registered at Police Station Vivek Vihar, District Jodhpur City West for the offences under Sections 376-D and 384 of IPC and Sections 11/12 of POCSO Act. However, the petitioners are directed to appear before the investigating officer on or before 12.05.2025 with all requisite documents.
8. Learned Public Prosecutor is further directed to call for the latest factual report and the case diary from the investigating officer, on the next date of hearing.
9. The personal presence of the Investigating Officer on the next date of hearing is dispensed with.
10. List the matter on 25.05.2025.

(KULDEEP MATHUR),J