

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

S.B. Criminal Misc(Pet.) No. 1926/2023

Vijay Kumar Gupta S/o Shri Shiv Charan Gupta, Aged About 39 Years, B/c Gupta R/o Vill. Kota Mamchari Tehsil Karauli Dist. Karauli Raj. Senior Section Officer (Accounts) In The Office Of Senior Assistant Finance Advisor-Workshop Norht Western Railway Jodhpur At Present Senior Section Officer (Accounts) In The Office Of Senior Assistant Finance Advisor-Workshop And Store North Western Railway Bikaner House No. 14/403 Mukta Prasad Nagar In Front Of Lal Bahadur Shastri Park Bikaner

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Dheeraj Panwar S/o Shri Labhchand Panwar, R/o House No. 76 Lane No. 3 Chankya Nagar Lal Sagar Road Jodhpur Dist. Jodhpur Raj.

-----Respondents

Connected With

S.B. Criminal Misc(Pet.) No. 275/2024

Sanjay Meena S/o Raju Lal Meena, Aged About 39 Years, B/c Meena R/o House No. A-90 Rajeev Gandhi Nagar Jagatpura Jaipur (Rajasthan) Senior Section Engineer Electric (R.e) Office Additional Chief Electric Engineer Railway Electrification Jodhpur. At Present Senior Section Engineer Electrical (R.e) Jalore.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Bhawani Singh S/o Samudra Singh, B/c Rajput House No. C-107 Sainik Colony Sardulpur Rajgarh District Churu. Representative Of M/s D.k Enterprises

-----Respondents

For Petitioner(s)	:	Mr. Rahul Sharma
For Respondent(s)	:	Mr. VS Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

27/03/2026

The present criminal misc. petitions have been filed by the petitioners under Section 482 Cr.P.C. against the order dated 07.09.2022 and 22.06.2022 passed by learned Special Judge (Anti

Corruption Cases) No.1 Jodhpur whereby cognizance has been taken against the petitioners in criminal original case No.41/2022 and 26/2022 respectively for offences under Section 7 of Prevention of Corruption Act, 1988.

The main contention raised in the present revision petition, challenging the charges framed by the learned trial Court against the petitioners, is that for offences under the Prevention of Corruption Act allegedly committed by persons who are serving in the Central Government within the territorial jurisdiction of State Agencies, the ACB has no jurisdiction to register the criminal case and to proceed with the investigation and file charge-sheet, and the same comes within the jurisdiction of the Central Bureau of Investigation.

Learned Public Prosecutor submits that the core question involved in this case was considered by the Coordinate Bench of this Court in bunch of petitions which was led by **CRLMP No.2819/2025 titled as Mukesh Singh vs. State of Rajasthan**. Both the parties, does not dispute the fact that the question involved in the petition is no res integra and has been decided by the Coordinate Bench of this Court vide order dated 01.09.2025. Further the said judgment was challenged before the Hon'ble Apex Court and the same has been affirmed in **SLP Nos.1104-1108/2026** vide order dated 27.01.2026. In view of the same, the main contention raised by the petitioner does not survive.

In view of the same, petitioners does not want to press the present criminal misc. petition at this stage. However, seeks

liberty to raise all his contentions before the concerned trial Court as and when occasion so arises

Accordingly, the present criminal misc. petition is dismissed as not pressed. However, the petitioners are at liberty to raise all their contentions before the concerned trial Court at appropriate stage if occasion so arises.

(BALJINDER SINGH SANDHU),J

216-219---Jatin/-