

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

S.B. Criminal Misc(Pet.) No. 2073/2025

1. Anshul Rathi S/o Rajendra Rathi, Aged About 32 Years, Residents Of 17/480, Chopasani Housing Board, Jodhpur (Raj.).
2. Rajendra Rathi S/o Devi Lal Rathi, Aged About 62 Years, Residents Of 17/480, Chopasani Housing Board, Jodhpur (Raj.).
3. Sarita Rathi W/o Rajendra Rathi, Aged About 58 Years, Residents Of 17/480, Chopasani Housing Board, Jodhpur (Raj.).
4. Neha Rathi D/o Devi Lal Rathi, Aged About 30 Years, Residents Of 17/480, Chopasani Housing Board, Jodhpur (Raj.).

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Monika Rathi W/o Anshul Rathi, D/o Surendra Kumar, Punjabi Mohalla, Ward No. 23, Hanumangarh Town, Hanumangarh (Raj.)

-----Respondents

For Petitioner(s)	: Ms. Deepika Soni Ms. Shilpa Soni Ms. Anjali Gehlot Ms. Neha Kalla
For Respondent(s)	: Mr. N.S. Chandawat, DyGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

12/03/2025

1. At the outset, learned counsel for the petitioner seeks to withdraw the instant miscellaneous petition to the extent of the petitioner No.1 Anshul Rathi. Accordingly, the instant criminal miscellaneous petition is dismissed as withdrawn to the extent of

the petitioner No.1 Anshul Rathi. However, if after investigation, the investigating agency finds the allegations proved against the petitioner No.1 and his arrest is intended, then instead of affecting the arrest at once, the investigating officer shall adhere to the guidelines issued by the Hon'ble Supreme Court in the case of ***Arnesh Kumar vs. State of Bihar [AIR 2014 SC 2756]***.

2. For rest of the petitioners, issue notice of the miscellaneous petition as well as the stay petition.

3. Learned Public Prosecutor accepts notice. Thus, notice be issued to the respondent No.2 only. Rule is made returnable by four weeks.

3. In the meanwhile, the petitioners No.2 to 4 shall not be arrested in connection with FIR No.35/2025 registered at the Police Station Mahila Thana, Hanumangarh.

(FARJAND ALI),J