

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

S.B. Criminal Miscellaneous (Petition) No. 10335/2025

Meena W/o Naresh Khatik, Aged About 25 Years, R/o Ram Dev Nagar, Bhunas, Station Karoi, District Bhilwara (Raj)..

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Inspector General Of Police, Ajmer Range, Ajmer
3. Superintendent Of Police, Bhilwara (Rajasthan).
4. Naresh Khatik S/o Nanuram Khatik, R/o Plot No. 104, Amar Society, Khuyawada, Bhawnagar (Gujarat.)

-----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 2200/2023

1. Nanuram S/o Sh. Hokam, Aged About 45 Years, Harnathpura, Rashmi, Dist. Chittorgarh.
2. Smt. Manju W/o Sh. Nanuram Kharol, Aged About 45 Years, Harnathpura, Rashmi, Dist. Chittorgarh.
3. Smt. Pinki W/o Sh. Vinod D/o Sh. Nanuram, Aged About 27 Years, Near Glass Factory, Bhudarws, Udaipur.

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Meena W/o Sh. Naresh Khatik D/o Sh. Dinesh Kumar, Aged About 23 Years, Bhunas, Karoi, Bhilwara (Raj.).

-----Respondents

S.B. Criminal Miscellaneous (Petition) No. 3092/2023

Naresh S/o Sh.nanuram Khatik, Aged About 23 Years, R/o Plot No.104, Amar Society, Khuyawada, Bhawnagar, Gujrat.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Meena W/o Sh. Naresh Khatik D/o Sh. Dinesh Kumar, R/o Bhunas, Karoi, Bhilwara(Raj.)

----Respondents

For Petitioner(s) : Mr. Nikhil Ajmera
Mr. Ramesh Purohit
For Respondent(s) : Mr. Vikram Rajpurohit, Dy.G.A.

ORDER

DATE OF CONCLUSION OF ARGUMENTS	18/03/2026
DATE ON WHICH ORDER IS RESERVED	18/03/2026
FULL ORDER OR OPERATIVE PART	Full Order
DATE OF PRONOUNCEMENT	08/05/2026

BY THE COURT:-**MISC. PETITION NO.10335/2025**

1. The instant petition has been preferred under Section 482 Cr.P.C. seeking issuance of appropriate directions to the respondent-authorities for ensuring proper, unbiased and time-bound inquiry in connection with FIR No.67/2023 registered at Police Station Karoi District Bhilwara for offences punishable under Sections 498-A, 406 & 323 IPC. The grievance raised by petitioner Smt. Meena essentially pertains to the alleged inaction on the part of the investigating machinery and the failure to proceed in accordance with law. It is trite that every criminal inquiry must inspire confidence by being transparent, independent and concluded within a reasonable time.

2. Learned counsel for the petitioners submit that notwithstanding the allegations disclosing cognizable offences, no meaningful progress has been made in the matter. It is contended that the authorities concerned have failed to take effective steps owing to the influence allegedly wielded by the accused persons,

thereby causing serious prejudice to the petitioner. On such premise, a prayer has been made for issuance of directions so that the matter may be proceeded with strictly in accordance with law and brought to its logical conclusion without unnecessary delay.

3. The right to a lawful and unbiased inquiry constitutes an integral component of fair procedure, available alike to the complainant as well as the accused. Preservation of public confidence in the criminal justice system demands that the process remain free from arbitrariness or extraneous influence. In the circumstances, the petitioner is directed to submit a detailed representation before the concerned Superintendent of Police along with all supporting material relied upon. Upon receipt thereof, the Superintendent of Police shall examine the grievances raised and pass necessary instructions to the competent officer for proceeding objectively, independently and in strict adherence to the statutory mandate. Appropriate steps shall thereafter be taken with due promptitude.

4. With the aforesaid observations and directions, the present criminal miscellaneous petition stands disposed of.

5. The stay application also stands disposed of accordingly.

MISC PETITION NOS.2200/2023 & 3092/2023

1. The instant miscellaneous petitions have been preferred on behalf of the accused-petitioners invoking the extraordinary jurisdiction of this Court with a prayer for quashing of FIR

No.67/2023 registered at Police Station Karoi District Bhilwara for the offences punishable under Sections 498-A, 406 and 323 of the IPC, along with all consequential proceedings arising therefrom.

2. Learned counsel appearing for the petitioners vehemently contended that the allegations levelled in the impugned FIR are concocted, exaggerated and actuated by ulterior motives. It was urged that the criminal proceedings have been initiated solely with a view to harass and humiliate the petitioners and their family members and that continuation of the investigation would amount to gross abuse of the process of law. Learned counsel thus prayed that the FIR deserves to be quashed in exercise of the inherent powers of this Court.

3. Per contra, learned Public Prosecutor opposed the petition and submitted that the FIR discloses specific allegations constituting cognizable offences and the matter is at a nascent stage of investigation. It was further contended that the truthfulness or otherwise of the allegations can only be examined upon completion of investigation and this Court ought not to scuttle the statutory process at the threshold.

4. I have heard learned counsel for the parties at length and have thoughtfully perused the material available on record including the contents of the impugned FIR.

5. A meaningful and conjoint reading of the FIR reveals that the complainant was married to the petitioner approximately seven years ago in accordance with Hindu rites and customs. It has been alleged that at the time of solemnization of marriage, sufficient

dowry articles and valuable *stridhan* were entrusted to the matrimonial family. Out of the wedlock, a female child was born, who is presently stated to be about three years of age.

5.1. The gravamen of the accusations contained in the FIR is that subsequent to the marriage, the complainant was subjected to persistent cruelty, humiliation and harassment on account of dissatisfaction regarding dowry allegedly brought by her. The complainant has further alleged that she was repeatedly taunted for bringing insufficient dowry and was subjected to physical and mental torture by the petitioners and their family members in connection with unlawful demands for additional dowry articles. Allegations pertaining to physical assault and maltreatment have also been levelled in unequivocal terms.

5.2. It has further been alleged that the articles and valuables entrusted to the petitioner and his family side at the time of marriage were not returned to the complainant despite repeated demands and requests. The cumulative tenor of the allegations prima facie discloses accusations relating to matrimonial cruelty as well as misappropriation of *stridhan*.

5.3. At this stage, this Court is not expected to meticulously evaluate the evidentiary worth of the allegations or to adjudicate upon their truthfulness while exercising jurisdiction for quashing of criminal proceedings. The scope of interference under the inherent jurisdiction of this Court is well circumscribed and such powers are to be exercised sparingly, cautiously and only in exceptional circumstances where the allegations ex facie fail to disclose the

commission of any offence or where continuation of proceedings would manifestly amount to abuse of the process of law.

5.4. The allegations levelled in the present FIR, when taken at their face value and accepted in their entirety for the limited purpose of adjudication of the present petition, unmistakably disclose the commission of cognizable offences warranting a thorough investigation by the investigating agency. This Court cannot, at this preliminary stage, embark upon a roving enquiry into disputed questions of fact or conduct a mini trial to determine the veracity of the accusations.

5.5. The issues sought to be raised by the petitioner pertain essentially to disputed factual aspects which can appropriately be examined only after collection of evidence during the course of investigation and, if necessary, during trial before the competent Court. Premature interference by this Court at the threshold would amount to stifling a legitimate prosecution and obstructing the statutory investigative mechanism.

5.6. This Court does not find the allegations contained in the FIR to be so absurd, inherently improbable or patently mala fide so as to warrant invocation of the extraordinary jurisdiction for quashing of the criminal proceedings. Prima facie, the ingredients constituting offences punishable under Sections 498-A, 406 and 323 IPC are clearly discernible from the averments contained in the FIR. Consequently, this Court is of the considered opinion that no case for interference is made out.

6. Accordingly, the instant miscellaneous petitions, being devoid of merit, are hereby dismissed. The stay applications and all pending applications, if any, also stand disposed of.

(FARJAND ALI),J

92-Mamta/-