

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

S.B. Criminal Misc(Pet.) No. 2356/2026

Om Prakash S/o Heeraram, Aged About 53 Years, R/o Hirawati,
Police Station Ladnu, District Didwana-Kuchaman Raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Rewant Ram S/o Labu Ram, Aged About 55 Years, R/o
Chhapda, Rol, Nagaur Raj.

-----Respondents

For Petitioner(s) : Mr. O.P. Sangwa

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.98/2024, registered at Police Station Rol, District Nagaur for offences under Sections 85 & 108 of BNS.

Learned counsel for the petitioner submits that the wife of the petitioner had been residing separately since the year 1997 and continued to do so till 2017. It is further submitted that an FIR under Sections 498A and 406 IPC came to be registered at her instance in the year 2017.

It is further contended that subsequent to the registration of the said FIR, the wife unfortunately committed suicide. However, it is argued that a bare perusal of the contents of the FIR does not

disclose any element of instigation attributable to the petitioner which could have led to the commission of suicide.

In view of the fact, that the parties had been living separately for nearly 17 years prior to the incident, the essential ingredients constituting abetment are absent.

In view thereof, this Court is inclined to interfere

Issue notice.

Learned Public Prosecutor accept notice on behalf of respondent-State.

Let notice be issued to respondent no.2, returnable within four weeks.

In the meanwhile, no result of the investigation shall be filed till the next date of hearing and Investigating Officer shall remain present with the case diary on the next date of hearing.

List this matter again on 16.04.2026.

(BALJINDER SINGH SANDHU),J