

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

S.B. Criminal Misc(Pet.) No. 2793/2024

Narendra Kumar S/o Shri Dilip Kumar, Aged About 41 Years, B/c
Bishnoi, R/o 7 K.d. Tehsil Rawla, Dist. Sri Ganganagar.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Maya Devi W/o Shri Narendra Kumar, Aged About 40
Years, R/o 7 K.d. , Tehsil Rawla, Dist. Ganganagar.
Presently R/o Sukhchain, Tehsil Abohar, Dist. Fajilka,
Punjab.
3. Paras S/o Shri Narendra Kumar, Minor Through Natural
Guardian Mother Maya Devi W/o Shri Narendra Kumar
(Resp. No. 2) R/o 7 K.d. , Tehsil Rawla, Dist. Ganganagar.
Presently R/o Sukhchain, Tehsil Abohar, Dist. Fajilka,
Punjab.

-----Respondents

For Petitioner(s) : Ms. Sangeeta Mittal

For Respondent(s) :

HON'BLE MR. JUSTICE ARUN MONGA

Order

08/07/2024

Learned counsel for the petitioner would contend that respondent No.2 – wife and petitioner have been living separated for the post more than four years. She contends that the wife of the petitioner on her own has deserted the matrimonial home on her free will and is currently in a live-in relationship as is borne out from her own sworn affidavit dated 26.08.2020 (Annex.7), which she had furnished before the Investigating Officer in the course of investigation in FIR No.136/2023, registered under

Sections 376(2n), 366, 342, 384, 323, 469 IPC at Police Station Rawla, District Ganganagar.

Issue notice.

Mr. Muktiyar Khan, PP accepts notice on behalf of the respondent No.1 – State.

Notices be issued to the respondents No.2 & 3.

Meanwhile, operation and effect of the order impugned dated 29.02.2024 (Annex.6) passed by learned Judicial Magistrate, Ghadsana, Distt. Sriganganagar shall remain stayed.

(ARUN MONGA), J