

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

S.B. Criminal Misc(Pet.) No. 2819/2025

Sama Ram S/o Mala Ram, Aged About 32 Years, R/o Umadesar,
Tehsil Baori, District Jodhpur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Sadwam Hussain S/o Saltar Khan, R/o Nandiya Kallan,
Kherapa, Jodhpur Rural, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. V.D. Gaur.

For Respondent(s) : Mr. Narendra Singh Chandawat, PP.

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

21/04/2025

The factual report dated submitted by the learned Public prosecutor is taken on record.

Learned counsel for the petitioner submitted that the impugned FIR clearly indicates that an agreement for sale of the land in dispute was executed in favour of Bhagirath son of Ganesha Ram. The petitioner was an attesting witness of the agreement dated 16.05.2024. Lastly, learned counsel submitted that though the petitioner was an attesting witness and admittedly, the agreement for sale of the land in dispute was executed with Bhagirath, the petitioner has been made an accused in the present case totally on false and fabricated grounds.

The matter requires consideration.

Learned Public Prosecutor is directed to procure the latest factual report and the case diary, on the next date of hearing.

In the meanwhile and till next date of hearing, the petitioner shall not be arrested in connection with FIR No.42/2025 registered at Police Station Kherapa, District Jodhpur (Rural).

However, the petitioner is directed to appear before the Investigating Officer on or before 16.05.2025 at 11.30 am. with all requisite documents.

List the matter on 24.07.2025.

(KULDEEP MATHUR),J

99-Tikam/-