

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

S.B. Criminal Miscellaneous (Petition) No. 2849/2026

Mohanram S/o Nolaram, Aged About 56 Years, R/o Village Runija
Tehsil Partbatsar District Deedwana Kuchaman

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Rajuram S/o Gulraj, Aged About 43 Years, R/o Village
Kadwo Ki Dhani Parbatsar District Deedwana Kuchaman

-----Respondents

For Petitioner(s) : Mr. Aditya Sharma
Mr. Dilip Sharma

For Respondent(s) : Mr. Vikram Singh Rajpurohit, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

05/05/2026

1. The present Criminal Misc. Petition has been filed under Section 528 of BNSS, 2023 for quashing of the cognizance of order dated 17.03.2025 passed by learned Additional Chief Judicial Magistrate, Parbatsar, District Nagaur, complaint case No.62/2023.

2. The brief facts of the present case are that on 30.12.2016, land ad measuring 0.49000 hectare was sold by respondent No.2 to the wife of the petitioner, Smt. Jasudi. In 2017 it was further sold by Smt. Jasudi to Smt. Rameshwari Devi. It has been alleged that Mohanram and other co-accused persons with the help of some forged documents sold the remaining land of respondent-complainant, ad measuring 0.69000 hectare.

2.1. A complaint was filed and in pursuance thereof, the learned Magistrate called for an investigation under Section 202 CrPC, and

upon consideration of the report, took cognizance against the petitioner for offences under Sections 420, 467, and 471 of the IPC vide order dated 17.03.2025, issuing bailable warrants.

2.2. Hence, the present petition.

3. Learned counsel for the petitioner submits that it is not a case wherein petitioner has committed any forgery and even as per the report it was on account of some typographical error that there was some error in recording of *khasra* numbers based on which the land belonging to the complainant came to be recorded in favour of the petitioner. It is further stated that dispute is purely of civil nature.

4. Learned Public Prosecutor submits that, during the investigation, it was found that the present petitioner, along with other co-accused persons, fraudulently obtained the registration of the land in his own favour. The learned Chief Judicial Magistrate rightly passed the cognizance order against the present petitioner. Therefore, the present petition is liable to be dismissed.

5. Considering the submissions made above, issue notice. Issue notice of the stay application.

6. Meanwhile, further proceedings initiated in pursuance to the order dated 17.03.2025, shall remain stayed.

(SUNIL BENIWAL),J