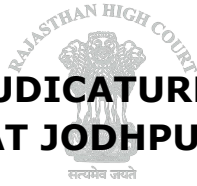


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous (Petition) No. 2958/2026

CNR: RJHC010353682026

URN: CRLMP / 5294U / 2026

Suresh Bishnoi S/o Nena Ram Bishnoi, Aged About 32 Years,
Resident Of Chitalwana District Jalore

----Petitioner

Versus

1. State Of Rajasthan, Through The Public Prosecutor
2. Manjeet Singh S/o Shatrushal Singh, The Then Additional
Sp Siucaw Udaipur (Special Investigation Unit, Crime
Against Woman) Udaipur, Rajasthan

----Respondents

For Petitioner(s)	:	Mr. Deepak Menaria
For Respondent(s)	:	Mr. Hanuman Prajapati, PP IO. Mr. Prakash (ASP, SOG)

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

07/07/2026

The present criminal misc. petition has been filed by the petitioner under Section 528 BNSS for quashing of FIR No.227/2022, registered at Police Station Bekariya, District Udaipur for offences under Section 419, 420 and 120 B of IPC and Section 3, 4, 6 and 6(a) of Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992 and 3, 6, 9 and 10 of Rajasthan Public Examination (Measures for Prevention of Unfair Means) Act.

The matter pertains to the written examination conducted for the post of Senior Teacher Grade II in the year 2022. Upon receiving secret information, the police intercepted a bus and

apprehended 47 persons who were allegedly found solving the question paper of the Senior Teacher Grade II examination. Thereafter, the FIR came to be registered, and the investigation commenced.

Learned counsel for the petitioner submits that the petitioner's name does not find mention in the FIR and that he has no connection with the accused persons who were apprehended in the said case. It is further submitted that the incident pertains to the year 2022, and if any material or information implicating the petitioner was available at the relevant point of time, the Investigating Officer ought to explain why no action was taken against him for such a long period and why steps to arrest the petitioner are being initiated only now. Learned counsel further submits that the petitioner has been falsely implicated in the case and, therefore, the FIR deserves to be quashed and set aside. It is also contended that in the earlier charge-sheet filed by the prosecution, the petitioner was neither named as an accused nor was the investigation shown to be pending qua him.

Learned Public Prosecutor is present who is assisted by the Investigating Officer along with part case diary.

Learned Public Prosecutor submit a factual report dated 07.07.2026, which is taken on record.

The Public Prosecutor submits that one Labu Ram was apprehended at the spot from the bus. During his interrogation, it was disclosed that the petitioner was involved in orchestrating the entire arrangement for solving the examination paper, pursuant to a deal allegedly entered into with him. The investigating agency has stated that the investigation is being conducted at the State

level and involves a large number of accused persons. Accordingly, the investigation is progressing in a phase manner, and action is being taken as and when the names of the persons involved are disclosed.

The part case diary as well as the interrogation note of co-accused clearly reveal the involvement of the petitioner. He appears to be directly involved in the matter, and the precise extent of his involvement can be ascertained only after his interrogation and further investigation. So far, prima facie case regarding the petitioner's involvement is made out. It cannot be said that the petitioner has no involvement in the matter. The investigation is required to proceed further, and only after the petitioner joins the investigation can the true facts be brought on record.

The Hon'ble Supreme Court, in ***M/s Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra***, reported in ***2021 INSC 253*** has held that the statutory right of the investigating agency to conduct a fair and complete investigation should not ordinarily be throttled by the exercise of inherent jurisdiction, and that the investigation ought to be permitted to reach its conclusion.

Looking to the fact that the matter involves a large-scale fraud in a public examination, and the investigation is still in progress. Having regard to the fact that prima facie involvement of the petitioner has been found, this Court does not find any ground to interfere in the present misc. petition.

Accordingly, the present criminal misc. petition is dismissed.

Stay petition as well as all pending application(s), if any,
stand disposed of.

(BALJINDER SINGH SANDHU),J

18/Mayank Chouhan/699