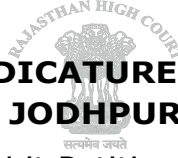




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Criminal Writ Petition No. 1555/2026

Narendra Kumar S/o Shri Nandram, Aged About 50 Years,
Resident Of Ward No. 3 Barsaia College, Sujangarh Rural,
Sujangarh, District Jhunjhunu, Presently Vice Chancellor Of Opjs
University Ravatsar, Kunjala, District Churu

-----Petitioner

Versus

1. State Of Rajasthan, Through Director General Of Police
Rajasthan Jaipur
2. Addl. Director General Of Police, Ats And Sog Rajasthan
Jaipur
3. Superintendent Of Police, District Churu
4. Shri Rai Singh, Station House Officer Police Station
Hameerwas District Churu
5. Shri Vijay Pal, Constable, P.s. Hameervas, Dist. Churu
6. Shri Dayaram, Constable, Police Station Hameerwas
District Churu

-----Respondents

For Petitioner(s)	:	Mr. Ramesh Kumar Mr. Ashok Upadhyay
For Respondent(s)	:	Mr. Deepak Choudhary, GA-cum-AAG Mr. Omprakash, I.G., Range Bikaner, present in person Mr. Abhijeet Patel, I.P.S., present in person

HON'BLE MR. JUSTICE FARJAND ALI

Order

29/04/2026

1. The instant writ petition has been preferred on behalf of the
petitioner seeking the following prayers:-

"(i) issue appropriate writ, order or direction
directing the respondent authorities to register
an FIR against the accused persons namely



Akshay Sharma and Omdatt Sharma, and other persons involved, for offences including criminal trespass, unlawful assembly, rioting, criminal intimidation, conspiracy, and other allied offences;

(ii) The concerned authorities of the University may also be directed to reinstate the petitioner on the post, which was holding by him prior to the said incident;

(iii) Issue appropriate writ, order or direction directing that the investigation in the present matter be transferred to an independent and impartial agency, such as SOG or any other agency deemed fit by this Hon'ble Court;

(iv) Issue appropriate writ, order or direction directing initiation of departmental and legal action against SHO, Police Station Hamirwas for gross abuse of authority, dereliction of duty, and collusion with accused persons;

(v) Issue appropriate writ, order or direction directing the respondent authorities to ensure protection of life, liberty, and safety of the petitioner and all university staff;

(vi) Issue appropriate writ, order or direction directing the respondents to restore possession and ensure non-interference in the peaceful functioning of OPJS University

(vii) Issue appropriate writ, order or direction restraining the private respondents and their associates from entering or interfering with the university premises in any unlawful manner;

(viii) Pass any other order or direction which this Hon'ble Court may deem just, fit, and proper in the facts and circumstances of the case."

2. On 27.04.2026, upon noticing certain ambiguities in the matter, this Court deemed it appropriate to direct the Inspector General of Police, Range Bikaner, to remain present and apprise the Court of the exact factual matrix of the case. The said direction was issued with a view to ensuring transparency in administration and to satisfy itself that the investigation is conducted fairly, impartially, and without any bias.



3. Today, Shri Omprakash, Inspector General of Police, Range Bikaner, along with the Additional Superintendent of Police, Shadulshahar and other officers, is present before this Court, represented by Shri Deepak Choudhary, learned GA-cum-AAG.

4. This Court has conferred with the officers present and has also perused the report submitted by them, along with the submissions advanced by the respective counsel.

5. Upon hearing learned counsel for the parties as well as the officers present in Court, it is observed that the petitioner is essentially aggrieved by the alleged inaction on the part of the police authorities in relation to a complaint submitted by him regarding certain offences, including criminal trespass, unlawful assembly, rioting and other allied offences. It prima facie appears that the concerned officers did not act strictly in accordance with the procedure established by law.

6. In this regard, this Court feels that where a complainant alleges commission of a cognizable offence and has already approached the Superintendent of Police, it is incumbent upon the Superintendent of Police to examine such complaint with due application of mind. Upon being satisfied about the commission of a cognizable offence, appropriate directions are required to be issued to the Station House Officer concerned for taking necessary action, which may include conducting a preliminary enquiry or registration of an FIR, as the case may be. However, it remains within the exclusive domain of the investigating agency to determine the appropriate course of action in accordance with the settled principles of law and procedure.



7. The petitioner, however, is not remediless. He has an efficacious alternative remedy of approaching the competent Territorial Magistrate by way of an appropriate complaint, ventilating all grievances and grounds as raised before this Court. In the event such a complaint is preferred, it is expected that the learned Judicial Magistrate shall apply his judicial mind and proceed in accordance with law, including the provisions contemplated under Section 175 or Sections 221 to 225 of the BNSS, as may be applicable, and in his sole judicial discretion.

8. So far as the remaining grievances of the petitioner concerning other offences are concerned, it suffices to observe that the matters are already under investigation by the Special Operations Group at the headquarters, and no specific relief in that regard has been pressed before this Court in the present petition.

9. Shri Omprakash, Inspector General of Police, Range Bikaner, further apprised this Court that the prima facie opinion earlier formed by the then Additional Superintendent of Police was subsequently revisited with due diligence, and it was found that the said opinion had been arrived at ex parte, without affording adequate opportunity of hearing to the other side. It is submitted that the investigation is presently underway and is being conducted by Shri Abhijit Patil, I.P.S., who is also present in person. He has assured this Court that all necessary steps shall be undertaken to arrive at a just and lawful conclusion on the basis of the material available on record.



10. The prayer of the petitioner seeking transfer of the complaint to the SOG, along with other connected matters, cannot be acceded to at this stage. FIR No. 94/2026, registered at Police Station Hameervas, District Churu, is presently under investigation by Shri Abhijit Patil, I.P.S. The investigation is at a nascent stage, the FIR having been registered only on 23.04.2026. An assurance has been extended that the investigation shall be conducted fairly and in accordance with law.

11. At this stage, any interference by this Court would not be warranted. The petitioner is left at liberty to approach this Court again in the event he remains aggrieved by the unfairness of the investigation in the aforesaid FIR.

12. It is further clarified that the affidavit purportedly executed by Shri Vidhan Singh S/o Khetram shall also be duly considered during the course of investigation.

13. Accordingly, the present petition stands disposed of.

14. The factual report is taken on record.

15. Rule is discharged.

16. The stay petition also stands disposed of.

(FARJAND ALI),J