

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

S.B. Criminal Miscellaneous (Petition) No. 3029/2026

1. Deshraj S/o Shri Laxman Ram, Aged About 45 Years, R/o Ward No.8, Patwari Ka Bas, Tehsil- Shrimadhopur, Distt . Sikar (Raj)
2. Laxman Ram S/o Shri Kajod Mal, Aged About 66 Years, R/o Ward No.8, Patwari Ka Bas, Tehsil- Shrimadhopur, Distt . Sikar (Raj)
3. Badami Devi W/o Shri Laxman Ram, Aged About 73 Years, R/o Ward No.8, Patwari Ka Bas, Tehsil- Shrimadhopur, Distt . Sikar (Raj)
4. Vijaypal Urf Mahipal S/o Shri Laxman Ram, Aged About 33 Years, R/o Ward No.8, Patwari Ka Bas, Tehsil- Shrimadhopur, Distt . Sikar (Raj)
5. Sajana Devi W/o Shri Surender Kumar, Aged About 39 Years, R/o Tapipliya, Tapilya, Sikar.
6. Surendra Kumar S/o Shri Jagdish Prasad, Aged About 41 Years, R/o Tapipliya, Tapilya, Sikar.
7. Saroj Devi W/o Shri Babu Lal, Aged About 40 Years, R/o Tapipliya, Tapilya, Sikar.
8. Babu Lal S/o Shri Banshidhar, Aged About 40 Years, R/o Tapipliya, Tapilya, Sikar.

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Monika Rani W/o Shri Deshraj, D/o Late Shri Sultan Ram, R/o Patwari Ka Bas, Tehsil- Shrimadhopur, Distt. Sikar. At Present Ward No. 25, Lalgah Jatan, 8 L.I.g., Tehsil- Sadulpur, Distt. Shriganganagar (Rajasthan)

-----Respondents

For Petitioner(s)	:	Mr. Naved Khan Sindhi
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 Bhartiya Nagrik Suraksha Sanhita, 2023 for quashing of FIR No.0062/2026, registered at Police Station Lalgarh Jatan, District Ganganagar for the offence under Sections 85, 316(2) and 64(2) (f) of BNS, 2023.

2. Learned counsel for the petitioner submits that the FIR in question was filed alleging that petitioner No.1, husband of the respondent-complainant and his relatives committed physical and mental cruelty upon her on account of dowry demand. It is alleged that the respondent was ousted from her in-laws' house on 03.07.2022 and since then she has been living with her mother. Therefore, the respondent lodged the FIR in question against the petitioner-accused persons.

2.1. Learned counsel further submits that the respondent No.2 has lodged the FIR against the petitioners on the basis of false, baseless, concocted and wrong facts. The FIR has been lodged in counter blast of the case instituted by the petitioner No.1 against the complainant U/s 9 of Hindu Marriage Act, 1955 (hereinafter, 'Act of 1955').

2.2. Learned counsel also submits that the Learned Family Court allowed the petition U/s 9 of Act of 1955, vide order dated 18.02.2025, in favour of the petitioner No.1 and ordered respondent No.2 to resume cohabitation with petitioner No.1. However, the respondent No.2 did not comply with the said order. She lodged the FIR in question against the petitioners on false, baseless, wrong and concocted facts after more than one year from the date of judgment.

4. The learned Public Prosecutor vehemently opposes the submissions made by learned counsel for the petitioner.
5. Considering the submissions made above, issue notice. Issue notice of the stay application as well.
6. Since respondent No.1 is already represented by the learned Public Prosecutor, therefore, issue notice to respondent No.2 only.
7. Meanwhile and till next, no coercive action shall be taken against the petitioners.

(SUNIL BENIWAL),J

9-AbhishekK/-