

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

S.B. Criminal Misc(Pet.) No. 3278/2025

Sterling And Wilson Renewable Energy Limited, Through Its,
Authorized Officer Mohan Ram S/o Shri Gopa Ram, Aged About
56 Years, Currently Working As Security Officer, Sterling And
Wilson Renewable Energy Limited 300 Mw Eden Solar Lakhasar
Jaisalmer Rajasthan And 250 Mw Csppl 02 Solar Bhisada,
Jaisalmer , Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Malam Singh S/o Shri Mahtab Singh, R/o Khuda, Tehsil
Pokaran, District, Jaisalmer, Rajasthan .

-----Respondents

For Petitioner(s) : Mr. Rahul Vyas

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

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/04/2025

1. Drawing attention of the Court towards the impugned orders dated 15.06.2024 and 29.03.2025, learned counsel for the petitioner submitted that the respondent No.2- Malam Singh lodged an FIR on behalf of the petitioner company regarding theft at solar plant of the company situated at Lakhasar, Pokaran. The police after investigation recovered the stolen goods. In the meantime, due to alleged misconduct, the services of the respondent No.2 were terminated by the petitioner company vide order of termination of services/contract dated 22.05.2022.

2. Learned counsel submitted that despite this fact being brought to the knowledge of Courts below, the application

preferred on behalf of the respondent No.2 under Section 451 Cr.P.C. has been allowed by the Court of Additional Chief Judicial Magistrate, Pokaran vide order dated 15.06.2024. The revision petition preferred against the order dated 15.06.2024 has also been dismissed by the Court of Additional District and Sessions Judge, Pokaran (Jaisalmer) vide order dated 29.03.2025.

3. Heard.

4. The matter requires consideration.

5. Issue notice to the respondents.

6. Learned Public Prosecutor accepts notice on behalf of respondent No.1-State. Service of notice upon respondent No.1 is, therefore, complete. Thus, notice be issue to respondent No.2 only. Notice be given 'dasti'. Rule is made returnable within a period of eight weeks.

7. List the matter on 18.08.2025.

8. In the meanwhile and till further order, effect and operation of orders dated 15.06.2024 passed by the Additional Chief Judicial Magistrate, Pokaran in Criminal Miscellaneous Case No.30/2021 (268/2024) and 29.03.2025 passed by the Additional District and Sessions Judge, Pokaran, Jaisalmer in Criminal Revision No. 11/2024 shall remain stayed.

(KULDEEP MATHUR),J