

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

S.B. Criminal Writ Petition No. 1690/2026

1. Chaya W/o Shri Anil Varma, Aged About 30 Years, Resident Of Bapunagar, Pratap Nagar, District Bhilwara, Rajasthan.
2. Kiran W/o Shri Devkisan, Aged About 48 Years, Resident of 3-H-13, 14, Ramesh Chandra Vyas Colony, Police Station Sadar, District Bhilwara, Rajasthan.
3. Devkisan S/o Shri Bardichand Achary, Aged About 52 Years, Resident Of 3-H-13, 14, Ramesh Chandra Vyas Colony, Police Station Sadar, District Bhilwararajasthan.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Public Prosecutor.
2. The Superintendent Of Police, Bhilwara, Rajasthan.
3. The Station House Officer (Sho), Police Station Sadar, district Bhilwara, Rajasthan.
4. Mohmad Liyakat S/o Safi Mohmad, Resident Of Sath Bhaiyo Ki Gali, Junawas, Bhimganj, Bhilwara, Rajasthan

-----Respondents

For Petitioner(s)	: Mr. Neeraj Kumar Gurjar
For Respondent(s)	: Mr. Vikram Singh Rajpurohit, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

23/04/2026

1. Learned counsel for the petitioners submits that essentially there is a civil dispute between the parties. He submits that the impugned FIR has been lodged on 06.03.2026 for the offences punishable under Sections 316(2), 318(4), 308(2) & 61(2) of the BNS, 2023, in respect of a sale deed dated 03.07.2009 executed by the petitioners in favour of the complainant's wife. It is contended that no plausible or reasonable explanation is available

on record regarding the delay of 16 years in lodging the impugned FIR. It is submitted that as per the *Jamabandi (2069-2073)*, land in question was registered in the name of the petitioners and now impugned FIR has been lodged alleging therein that the land in question which was sold to the wife of the complainant, belongs to the Government.

2. Matter requires consideration.
3. Issue notice to the respondents.
4. Learned State Counsel accepts notice on behalf of respondent Nos.1 to 3. Copy of this petition has already been supplied in his office.
5. Let notice be issued to respondent No.4, through both the processes, returnable by next date of hearing. Requisites be filed within a period of two weeks, failing which this petition shall stand dismissed automatically without any further reference to the Bench.
6. Till the next date of hearing, subject to full cooperation by the petitioners with the investigation, there shall be stay on the arrest of the petitioners in connection with the FIR No.52/2026 registered at Police Station Sadar Bhilwara, District Bhilwara.
7. List this case after six weeks.

(ANIL KUMAR UPMAN),J