

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

S.B. Criminal Writ Petition No. 1764/2026

Sharwan Kumar S/o Lichman Ram, Aged About 46 Years, R/o
Dungarsingh Pura Tehsil Bhadra District Hanumangarh Raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary Department
Of Home Government Of Rajasthan Jaipur
2. The Superintendent Of Police, Hanumangarh
3. Sub Division Officer, Bhadra District Hanumangarh
4. Station House Officer, Police Station Bhadra District
Hanumanagarh
5. Rajesh Kumar, Block Development Officer Panchayat
Samiti Bhadra District Hanumangarh
6. Puran Chand, Nayab Tehsildar Dungarana Tehsil Bhadra
District Hanumangarh
7. Veer Singh, Sub Inspector Ps Bhadra District
Hanumangarh
8. Rishal Singh, Village Development Officer Panchayat
Samiti Bhadra District Hanumangarh
9. Kashi Ram, Assistant Village Development Officer
Panchayat Samiti Bhadra District Hanumangarh
10. Mahaveer Singh, Assistant Village Development Officer
Panchayat Samiti Bhadra District Hanumangarh

-----Respondents

For Petitioner(s) : Mr. Arjun Singh

For Respondent(s) : Mr. Shriram Choudhary, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

27/04/2026

1. The complaint filed at the instance of the petitioner was considered by the learned Additional Chief Judicial Magistrate, Bhadra. After taking the factual report on record and upon perusal

of the averments made in the complaint, the learned Magistrate deemed it appropriate to refer the matter for enquiry under Section 223 of the BNSS and forwarded the same to the police agency, with a direction that the enquiry in relation to the complaint shall be conducted by an officer not below the rank of Deputy Superintendent of Police. The said order was passed on 29.06.2024. It is reflected from the record that, on several occasions, the case has been adjourned on one pretext or another.

2. An enquiry contemplated under Section 223 of the BNSS cannot be kept pending or be permitted to continue for an inordinate period of two years or more, as the same would defeat the very object and purpose of the said provision.

3. In view of the above, the writ petition as well as the stay petition stands disposed of with a direction to the Superintendent of Police, Hanumangarh, to ensure strict compliance with the directions issued by the learned Additional Chief Judicial Magistrate, Bhadra, vide order dated 26.09.2024. The enquiry report shall be submitted before the learned ACJM, Bhadra, within a period of thirty days from the date of receipt of a copy of this order.

4. The learned ACJM, Bhadra, is also directed to take all necessary steps to ensure due compliance of its aforesaid order. The enquiry shall be concluded within the aforesaid period, and a reasoned decision shall thereafter be taken on the complaint in accordance with law.

5. Needless to say that, nothing would preclude the petitioner from approaching this Court again if his grievance still persists.

(FARJAND ALI),J

37-Samvedana/-