

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

S.B. Criminal Misc(Pet.) No. 3500/2025

Kumbha Ram S/o Aaidan Ram, Aged About 78 Years, R/o Sadari,
Lohawat, District Phalodi, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. The Superintending Of Police, Jodhpur Rural.
3. The Station House Officer, Osia, Jodhpur Rural.

-----Respondents

For Petitioner(s) : Mr. Dinesh Vishnoi

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

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/08/2025

1. This Criminal Miscellaneous Petition under Section 528 of the BNSS (corresponding to Section 482 of the Cr.P.C.) has been filed by the petitioner seeking a direction to the police authorities to conduct a fair and impartial investigation into the allegations made in FIR No.75/2025, registered at Police Station Osian, District Jodhpur Rural.
2. Learned counsel for the petitioner argues that the investigating agency is not proceeding in a fair and just manner and is intentionally stalling the investigation after registration of FIR.
3. Learned Public Prosecutor appears on service of advance copy of the petition and accepts notice on behalf of the State. He opposes the petition arguing that investigation is underway and

law will take its own course.

4. Having heard learned counsel for the petitioner, this Court is of the opinion that the petitioner can very well approach the concerned Superintendent of Police seeking fair and impartial investigation in the above referred FIR as per the law laid down by the Hon'ble Supreme Court in case of ***Sakiri Vasu Vs. State of U.P. and Ors.*** reported in ***(2008) 2 SCC 409*** and ***Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & Ors.*** reported in ***(2016) 6 SCC 277***.

5. Hence, this criminal misc. petition is disposed of with liberty to the petitioner to move application for fair and impartial investigation before the concerned Superintendent of Police and it is expected that if any such application is moved on behalf of the petitioner, the concerned Superintendent of Police shall consider the same strictly in accordance with law.

6. Pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J