

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

S.B. Criminal Misc(Pet.) No. 3567/2025

Gotam Lal Chobisa S/o Lal Shanker, Aged About 58 Years, R/o Sector 14, Hiran Magri, Near Sindhi Dharmshala, Udaipur, Dist. Udaipur (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Kalpana Joshi W/o Puyesh Joshi, R/o Sagwada, Gamathwala, Dungarpur At Present R/o Parvati Bajaj, 67, New Colony, Savina, Udaipur, Dist. Udaipur (Raj.)

-----Respondents

For Petitioner(s)	:	Mr. Himanshu Soni for Mr. Rajendra Chundawat
For Respondent(s)	:	Mr. Narendra Singh, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

06/05/2025

1. Drawing attention of the Court towards the impugned FIR, learned counsel for the petitioner submitted that the respondent No.2- complainant who is a mature married woman entered into a consensual physical relationship with the present petitioner. However, on relations between them turning sour, she has roped the petitioner in a false criminal case.
2. To substantiate this contention, learned counsel for the petitioner submitted that the impugned FIR has been lodged after a delay of more than one and a half years from the date when the complainant was allegedly subjected to forcible sexual assault-rape by the petitioner for the first time, without furnishing any plausible

explanation for delay in lodging the FIR. It was thus prayed that the impugned FIR may be quashed and set aside.

3. The matter requires consideration.
4. Issue notice to the respondents.
5. Learned Public Prosecutor accepts notice on behalf of respondent No.1- State. Service of notice upon respondent No.1- State is, therefore, complete. Thus, notice be issued to respondent No.2 only. Rule is made returnable within a period of eight weeks.
6. Learned Public Prosecutor is directed to procure the latest factual report on the next date of hearing.
7. List the matter on 27.08.2025.
8. In the meanwhile and till next date of hearing, the petitioner shall not be arrested in connection with FIR No.91/2025 registered at Police Station Sagwara, District Dungarpur. However, the petitioner is directed to appear before the Investigating Officer on 26.05.2025 at 11.30 A.M. along with all requisite documents.

(KULDEEP MATHUR),J