

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

S.B. Criminal Miscellaneous (Petition) No. 3338/2026

1. Kamal Kumar S/o Sh. Ghanshayam Ji, Aged About 44 Years, R/o Village Girab, Police Station Girab, District Barmer.
2. Ganpat Singh S/o Sh. Jogaraj Singh, Aged About 37 Years, R/o Sankhali, Hafiya, Gadra Road Barmer, District Barmer.
3. Shrawan Singh S/o Sh. Ugam Singh, Aged About 35 Years, R/o Village Girab, Police Station Girab, District Barmer.
4. Hindu Singh S/o Sh. Kanvaraj Singh, Aged About 39 Years, R/o Village Girab, P.s. Girab, Dist. Barmer

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Suresh Patel S/o Sh. Karna Ram, Aged About 39 Years, R/o Sar, Luni, district Jodhpur.

-----Respondents

For Petitioner(s)	:	Mr. Bhawani Singh Mr. Shailendra Singh Solanki
For Respondent(s)	:	Mr. Vikram Singh Rajpurohit, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

08/05/2026

1. The present criminal misc. petition has been filed under Section 528 of the BNSS, 2023 for quashing of FIR No. 50/2025 registered at Police Station Pachpadra, District Balotra so also all consequential proceedings carried out in furtherance thereof for the alleged offences under Sections 323, 452, 384 and 392 of the Indian Penal Code, 1860 against the petitioners.

2. Learned counsel for the petitioners submits that none of the petitioners are named in the FIR. The alleged incident is of 25.02.2024 and the FIR was lodged on 11.02.2025, after an inordinate delay of almost one year.
3. In view of the submissions made above, issue notice of the petition so also of stay application.
4. Notice need not be issued to respondent No.1 as the same is being represented by the learned Public Prosecutor.
5. Issue notice to respondent No.2 only.
6. Meanwhile and till the next date, no coercive action shall be taken against the petitioners in connection with FIR No. 50/2025 registered at Police Station Pachpadra, District Balotra.
7. Needless to observe that the petitioners would be required to join the investigation as and when required by the Investigating Officer.
8. It is made clear that if the petitioners do not co-operate with the investigation, the learned Public Prosecutor would be at liberty to move appropriate application seeking vacation of the interim order.

(SUNIL BENIWAL),J