

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

S.B. Criminal Writ Petition No. 1892/2026

Chen Sukh S/o Narayanlal, Aged About 35 Years, Resident of S-17/330, Labour Colony, District Bhilwara,raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Pp
2. The Station House Officer, Police Station Pratapnagar, District Bhilwara, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Vishal Sharma Mr. Robin Singh
For Respondent(s)	:	Mr. Surendra Bishnoi, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

28/04/2026

1. Learned counsel for the petitioner submits that he does not wish to press the instant criminal writ petition. However, he seeks liberty for the petitioner to submit a representation to the Superintendent of Police concerned, along with a direction to the said authority to consider and decide the same and to issue appropriate instructions to the Investigating Officer. He further prays for interim protection from arrest so as to enable the petitioner to avail the said remedy.

2. Accordingly, the instant criminal writ petition as well as the stay petition are dismissed as not pressed, with liberty to the petitioner to submit a detailed representation to the Superintendent of Police concerned, raising all the grounds urged

in the present petition, within a period of 15 days from the date of receipt of this order.

3. In the event such a representation is submitted, the Superintendent of Police concerned shall objectively, independently and minutely consider the same. The Superintendent of Police shall ensure that the investigation is conducted fairly and impartially. It shall also be specifically examined by the Superintendent of Police himself as to whether the petitioner was in custody in another matter at the time of the alleged incident, as stated in the impugned FIR, and such aspect shall be given due and serious consideration while deciding the representation. All relevant documents submitted along with the representation shall also be duly taken into consideration. The representation shall be decided by a reasoned order within a period of 20 days from the date of its receipt, and thereafter, the result of the investigation shall be proceeded with and placed on record in accordance with law.

4. Considering the prayer so made, and only with a view to enable the petitioner to effectively raise his plea before the competent authority and to ensure a fair and impartial investigation, it is directed that the petitioner shall not be arrested for a period of 20 days from today in connection with FIR No.98/2026, P.S. Pratapnagar, Bhilwara. This order shall not be construed as an expression on the merits of the case.

5. All pending applications stand disposed of.

6. The protection from arrest is granted solely for the limited purpose of enabling the petitioner to appear before the police authorities without any apprehension of arrest and to put forth his defence.

7. The submission of the petitioner that he had merely handed over his motorcycle to his friend(s), without any knowledge that the same would be used for transportation of narcotic substances, shall also be duly considered by the Investigating Agency in accordance with law.

(FARJAND ALI),J