

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

S.B. Criminal Miscellaneous (Petition) No. 3605/2026

Rajuram Alias Rajesh Siyag S/o Budharam, Aged About 27 Years,
R/o Galiifa, Thesil Chitalwana, District Jalore

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Kailash Daukiya S/o Ratanlal Bishnoi, R/o D.s. Dani,
P.s.jhab, Presently Working At Patwari , Patwar Mandal
Siwada, Tehsil Chitalwana Ditrect Jalore

-----Respondents

For Petitioner(s)	:	Mr. Hapu Ram
For Respondent(s)	:	Mr. Lalit Kishor Sen, PP Mr. Shaitan Singh Hemaguda

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

07/05/2026

1. The present Criminal Miscellaneous Petition under Section 528 BNSS, 2023 seeking quashing of FIR No. 54/2026 dated 21.04.2026 registered at Police Station Chitalwana, District Jalore for offences under Sections 121(1), 132, 126(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.
2. Brief facts of the case are that the complainant Kailash Daukiya submitted a written report before SHO, Police Station Chitalwana, alleging, *inter alia*, that on 05.04.2026 at about 6:00 PM, while he was present at his office, police officials from Police Chowki Siwada inquired about a motorcycle bearing registration No. RJ 46 SC 6178 parked outside his office on the basis of a complaint regarding unpaid financial installments or alleged theft,

and after verification of the RC, they left the spot satisfied. It is further alleged that on 04.04.2026, the complainant was assaulted by the present petitioner-accused Rajuram @ Rajesh, who also attempted to forcibly take away his motorcycle and later returned with a vehicle without number plate and attempted to run him over, during which he was rescued with the intervention of witnesses and villagers, and an FIR No. 54/2026 was accordingly registered at Police Station Chitalwana, under Sections 121(1), 132, 126(2) and 351(2) of BNS.

2.1 On 21.04.2026, another FIR was registered against the present petitioner bearing FIR No.55/2026 upon directions of the learned Judicial Magistrate under Section 175(3) BNSS. It is contended that despite availability of CCTV footage supporting the petitioner's version, the Investigating Officer has failed to properly consider the same, rendering the investigation arbitrary and unfair.

3. This Court takes note of the fact that as a matter of fact, cross-FIRs have been filed with regard to the alleged incident and there is no reason to interfere in the investigation at this stage. This Court further observes that FIR was lodged on 21.04.2026, however, even without waiting for some reasonable time, has rushed to this Court seeking fair investigation.

4. Learned Public Prosecution submits that the investigation has been initiated and so far the investigation could not proceed further as the petitioner is not cooperating with the investigation.

5. This Court is not inclined to entertain the present petition and the same is accordingly, dismissed.

6. Needless to observe that if the petitioner appears before the Investigating Officer along with the representation, the same shall be considered strictly in accordance with law and the submissions made in the representation shall be considered before submitting the final report.

7. All pending applications stand disposed of.

(SUNIL BENIWAL),J

34-ajayS/-