

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

S.B. Criminal Miscellaneous (Petition) No. 3597/2026

Lokesh Tak S/o Late Sh. Hukma Ram Tak, Aged About 42 Years,
Jagawata Bass Chenar Police Station Kotwali Nagaur Dist.
Nagaur

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s) : Mr. G.R. Punia, Sr. Advocate asst. by
Mr. Sanjay Rawar
Mr. Ram Prem

For Respondent(s) : Mr. Ramesh Devasi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

08/05/2026

1. The present criminal miscellaneous petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been preferred seeking quashing of the F.I.R. No.63/2026 registered at Police Station Kotwali Nagaur, District Nagaur for offences punishable under Sections 318(4), 112(2) and 61(2) of the Bharatiya Nyaya Sanhita, Section 66-B of the Information Technology Act, 2000 and Section 13 of the Rajasthan Public Gambling Ordinance, 1949.

2. Learned Senior Counsel submits that the FIR has been lodged and the petitioner has been implicated merely on the basis of the statement given by co-accused Ashok that the petitioner was also involved in the betting. It is further argued that the offences alleged against the petitioner are not made out, neither

under the Information Technology Act, 2000 nor under the Rajasthan Public Gambling Ordinance, 1949. It is further submitted that even offence for committing forgery is not made out.

3. *Per contra*, learned public prosecutor submits that the petitioner is part of organized crime and involvement of the petitioner is apparent from the entries made in the diary recovered from the co-accused.

4. Considering the submissions made above, issue notice. Issue notice of the stay petition as well. Learned Public Prosecutor accepts notice on behalf of the respondent State. Thus, service is complete.

5. Meanwhile and till the next date, no coercive action shall be taken against the petitioner in connection with FIR No.63/2026 registered at Police Station Kotwali Nagaur, District Nagaur.

6. Needless to observe that the petitioner shall join the investigation and shall appear before the Investigating Officer as and when required.

7. It is made clear that if petitioner does not co-operate during the investigation, the learned Public Prosecutor would be at liberty to move appropriate application seeking vacation of the interim order.

(SUNIL BENIWAL),J