

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

S.B. Criminal Miscellaneous (Petition) No. 3562/2026

Mohammed Salam S/o Shri Vali Mohammed, Aged About 40 Years, R/o Ward No.8, Kikarwali, Tehsil Sangaria District Hanumangarh.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Superintendent Of Police, Hanumangarh
3. Station House Officer, Police Station Sangaria, District Hanumangarh.

-----Respondents

For Petitioner(s)	:	Mr. Kailash Khilery Mr. Ravindra Singh
For Respondent(s)	:	Mr. Lalit Kishor Sen, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

06/05/2026

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking appropriate directions for medical examination of Riyasat Ali by a Medical Board and for ensuring fair, impartial and effective investigation in FIR No. 0165/2026 dated registered at Police Station Sangaria, District Hanumangarh, for offences under Sections 126(2), 115(2) and 189(2) of the Bharatiya Nyaya Sanhita, 2023.
2. Brief facts of the case are that aforesaid FIR was registered on the basis of a written report submitted by Junab Ali alleging that on 06.04.2026 certain persons, including present petitioner, assaulted Riyasat Ali and Munsaf Ali with lathis, axe and stones, causing injuries to them, whereupon they were taken to

Government Hospital Sangaria and later referred to Hanumangarh. On the basis of the said report, offences under Sections 126(2), 115(2) and 189(2) of the Bharatiya Nyaya Sanhita, 2023 were registered and investigation commenced.

2.1 It is alleged that the incident arose out of a counter clash wherein Riyasat Ali, along with others, allegedly attacked the petitioner's brother Mohammed Ramzan and Namir Bibi on 06.04.2026, resulting in grievous injuries, resulting in lodging of a cross FIR, bearing FIR No. 0166/2026 under Sections 333, 115(2) and 189(2) of BNS.

2.2 On account of alleged unfair and unbiased investigation, the present criminal misc. petition has been filed.

3. Learned counsel for the petitioner submits that the petitioner along with his son and nephew intervened only to save the victims from further assault. On the same incident, FIR No. 0166/2026 has already been lodged by the petitioner. It is contended that no injury was caused by the petitioner to Riyasat Ali or Munsaf Ali, and the allegation of head injury is false, reflecting a biased and unfair investigation being conducted in FIR No. 0165/2026.

3.1 Learned counsel for the petitioner submits that proper medical examination and a fair investigation are necessary for arriving at the truth of the matter and for securing the ends of justice. Therefore, appropriate directions may be issued in the interest of fair investigation.

4. Learned Public Prosecutor opposes the submissions made by the learned counsel for the petitioner.

5. Apparently, the FIR for which, petitioner is seeking fair investigation, is lodged on 07.04.2026. It appears that the petitioner has rushed before this Court without even waiting for investigation to commence.

6. This Court is not inclined to entertain the present petition at this stage and the same is accordingly, dismissed.

7. All pending applications stand disposed of.

(SUNIL BENIWAL),J