

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

S.B. Criminal Misc(Pet.) No. 3923/2025

Suresh Kumar S/o Shri Punamchand, Aged About 56 Years, R/o Ahore, Tehsil Ahore, Dist. Jalore.

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Dinesh Kumar S/o Shri Hanuman Lal, R/o Sutharo Ka Was, Ahore, Dist. Jalore, At Present R/o Thomas Street, Coimbatore, Tamilnadu.

-----Respondents

For Petitioner(s)	:	Mr. Ajay Augustine
For Respondent(s)	:	Mr. Hathi Singh Jodha, PP Mr. Devendra Khatri for complainant

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT
Order

27/08/2025

1. The instant petition has been preferred by the petitioner for quashing of the FIR and further proceedings in pursuance of the FIR No.20/2024, registered at Police Station Ahore, District Jalore for the offences under Sections 420, 464, 467, 468, 471 & 120-B of the IPC.
2. It is contended by learned counsel for the petitioner that it is the 3rd round of litigation. Earlier the misc. petition being S.B. Criminal Misc. Petition No.947/2024 was filed by the petitioner for the same prayer and the same was dismissed as withdrawn vide order dated 14.03.2024, passed by a Coordinate Bench of this Court with a direction that in the event the offences are found proved against the petitioner, then instead of arresting him at once, a prior notice of 20 days shall be given to him so that he may exercise his legitimate rights. Thereafter petitioner filed another writ petition being S.B. Criminal Misc. Petition

No.5076/2024, which was also dismissed as withdrawn vide order dated 15.01.2025, passed by a Coordinate Bench of this Court.

3. Now the present petition is filed for the same relief.

4. Learned Public Prosecutor and the learned counsel for the respondent No.2 have vehemently opposed this petition and submitted that the 3rd subsequent petition under Section 528 of BNSS (Section 482 of Cr.P.C.) is not maintainable as per the verdict given by the Hon'ble Supreme Court in the case of ***M.C. Ravi Kumar Vs. D.S. Velmurugan & Ors. : 2025 Supreme (SC) 1107.***

5. Learned Public Prosecutor while producing the factual report dated 23.08.2025, submits that after through investigation, alleged offences are found proved against the petitioner.

6. Learned counsel for the petitioner wants to withdraw the present petition with a liberty to the petitioner to file a representation before the Investigating Officer and prayed that the Investigating Officer may be directed to consider the same minutely and objectively.

7. The petition is accordingly dismissed as withdrawn with a liberty to the petitioner to file a representation before the Investigating Officer. In case any representation is filed, the Investigating Officer shall consider the same minutely and objectively.

8. The factual report dated 23.08.2025 is taken on record.

9. Stay petition also stands disposed of.

(MUKESH RAJPUROHIT),J