

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

S.B. Criminal Misc(Pet.) No. 3879/2025

1. Surendra Kumar S/o Omprakash, Aged About 34 Years, R/o Ward No. 28, Village Sangariya, Tehsil And District Hanumangarh. (Power Of Attorney Holder For Petitioner No. 2 And 3)
2. Gurdeep Singh S/o Shri Mikha Singh, Aged About 57 Years, R/o Ward No. 7, Village Sangariya, Tehsil And District Hanumangarh.
3. Milkha Singh S/o Inder Singh, Aged About 90 Years, R/o Ward No. 7, Village Sangariya, Tehsil And District Hanumangarh.
4. Baljinder Singh S/o Shri Milkha Singh, Aged About 54 Years, R/o Ward No. 7, Village Sangariya, Tehsil And District Hanumangarh.

-----Petitioners

Versus

1. State Of Rajasthan, Through PP.
2. Shimendra Singh S/o Prakash Singh, R/o Village Jandawali, Tehsil And District Hanumangarh.

-----Respondents

For Petitioner(s) : Mr. B.S. Sandhu

For Respondent(s) : Mr. Narendra Singh Chandawat, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

15/05/2025

1. Drawing attention of this Court towards the impugned FIR, and documents attached with the case file, learned counsel for the petitioners submitted that the petitioner No.2 who is the owner of the offending vehicle (bus) bearing registration No.RJ31-PA-0681 and the petitioner No.3 who is the owner of the another offending vehicle (bus) bearing registration No.RJ31-PA-1228 have falsely been implicated in the present case. Learned counsel further submitted that the complainant is the third-party and a bare perusal of the impugned FIR would indicates that no harm or loss

has been caused to the complainant and therefore, he has no legal stand to file the impugned complaint/FIR.

2. Learned counsel further submitted that even otherwise, the offending vehicles have already been seized by the competent authority, i.e. the District Transport Officer (DTO) and thereafter, as per the demand of the RTO Department, the outstanding tax has been deposited by the petitioners.

3. The matter requires consideration.

4. Issue notices to the respondents.

5. Learned Public Prosecutor accepts notice on behalf of respondent No.1- State. Therefore, service of notice upon respondent No.1 – State is complete.

6. Issue notice to the respondent No.2 only, rule is made returnable with eight weeks.

7. In the meanwhile and till further orders, petitioners shall not be arrested in connection with FIR No.776/2023 registered at Police Station Hanumangarh Junction, District Hanumangarh.

8. However, petitioners are directed to appear before the investigating officer on 30.05.2025 at 11:30 AM with all the requisite documents to join the investigation.

9. Learned Public Prosecutor is directed to call for the latest factual report on the next date of hearing.

10. List the matter on 26.08.2025.

(KULDEEP MATHUR),J