

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

S.B. Criminal Miscellaneous (Petition) No. 3638/2026

Mohan Dewasi S/o Gayad Ram, Aged About 30 Years, R/o
Balada, Police Station Anandpur Kalu, District Beawar.

----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Rakha W/o Suresh Mali, R/o Giri, Sendra, District Beawar,
Rajasthan.

----Respondents

For Petitioner(s) : Mr. Dinesh

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

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

08/05/2026

1. The present Criminal Misc. Petition under Section 528 of the BNSS, 2023 has been filed by the petitioner seeking quashing of FIR No. 80/2026 dated 26.04.2026 registered at Police Station Sendra, District Beawar for the offence under Section 140(3) of the BNS, 2023 and all consequential proceedings arising therefrom.

2. Brief facts of the case are that the complainant lodged the aforesaid FIR on 26.04.2026 alleging that her husband went Jaipur on 24.04.2026 with his friends. Thereafter on 25.04.2026, he received a phone call from his husband informing that he was in danger and asked her to arrange Rs. 5 lakhs, following which his phone went off, giving rise to suspicion of kidnapping by unknown persons. On the basis of the said report, the impugned

FIR for the offence under Section 140(3) of the BNS, 2023 came to be registered against the petitioner.

3. Learned counsel for the petitioner submits that he is innocent and has been falsely implicated, as he was merely acquainted with the complainant's husband on account of business dealings and had no role in any alleged kidnapping or demand of money. He further submits that even a bare perusal of the FIR does not disclose the commission of any cognizable offence against the petitioner and continuation of the proceedings would amount to abuse of the process of law.

3.1 Learned counsel for the petitioner further submits that the petitioner is not named in the FIR and merely on an anonymous complaint, the police is bent upon to implicate him in the crime in question. Co-accused Kishore Ram has been enlarged on bail by the learned trial court. Therefore, the present petition may be allowed and the FIR in question be quashed.

4. Learned Public Prosecutor, while referring to the factual report dated 07.05.2026, submits that the investigation so far clearly indicates that petitioner is involved in the crime in question and a Scorpio Car so also a sum of Rs.7,00,000/- is to be recovered from him. He submits that prima facie offence against the petitioner is made out, therefore, the present petition may be dismissed.

5. The factual report dated 07.05.2026, is taken on record.

6. In view of the submissions made by the learned Public Prosecutor and after perusing the factual report dated



07.05.2026, this court is not inclined to entertain the present petition and the same is accordingly, dismissed.

7. All pending applications stand disposed of.

(SUNIL BENIWAL),J

51-ajayS/-