

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

S.B. Criminal Miscellaneous (Petition) No. 3631/2026

1. Thana Ram Choudhary S/o Doonga Ram, Aged About 38 Years, R/o Ghenti Village, Tehsil Rani, District Pali.
2. Smt. Leela W/o Thana Ram Choudhary, Aged About 37 Years, R/o Ghenti Village, Tehsil Rani, District Pali.

-----Petitioners

Versus

1. State Of Rajasthan, Through P.p
2. Rajendra Kumar S/o Kajodmal, Village Development Officer, Gram Panchayat, Piloani R/o Piloani Khinwara, District Pali.

-----Respondents

For Petitioner(s)	:	Mr. J.S. Choudhary, Sr. Adv. Mr. Pradeep Choudhary
For Respondent(s)	:	Mr. Ramesh Dewasi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

08/05/2026

1. Learned Senior counsel for the petitioners submits that the impugned FIR has been lodged on 04.02.2026 qua the incident which occurred on 31.03.2022. Apart from the inordinate delay in lodging the FIR, it is stated that FIR is against the unknown persons.
2. It is further stated that petitioner No.1 was Sarpanch from the year 2010-15 and later petitioner No.2 held the post of Sarpanch from the year 2015-22. The tenure of petitioner No.2 came to an end in the year 2022 and later, the charge was handed over to the newly elected Sarpanch. No objection whatsoever was either raised at the time of handing over the charge by the then

Gram Sewak or by person who took over charge as Sarpanch, however, belatedly, after three years, FIR has been lodged alleging that the patta book has been stolen.

3. Considering the submissions made above, issue notice. Issue notice of stay application also.

4. Learned Public Prosecutor accepts notice on behalf of the State. Let notice be issued to respondent No.2 only.

5. Meanwhile, petitioners shall not be arrested in connection with FIR No. 25/2026 registered at Police Station Khinwara, District Pali.

6. Needless to observe the petitioners would be required to join investigation as and when required.

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

(SUNIL BENIWAL),J