

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

S.B. Criminal Miscellaneous (Petition) No. 3629/2026

Shree Ram S/o Kalu Ram, Aged About 42 Years, R/o Sajara Road, Pos Code, Luni, Jodhpur City West, District Jodhpur (Raj).

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Radheyshyam Das S/o Chandan Das, Enforcement Officer, District Logistics Officer, Jodhpur City East (Raj).

-----Respondents

For Petitioner(s) : Ms. Shobha Prabhakar

For Respondent(s) : Mr. Lalit Kishore Sen, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

07/05/2026

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the petitioner seeking quashing of FIR No.63/2026 registered on 13.03.2026 at Police Station Luni, District Jodhpur (City West), for the offences under Sections 420 and 406 of the Indian Penal Code and Sections 3 and 7 of the Essential Commodities Act.

2. Learned counsel for the petitioner, at the outset, submits that the FIR has been lodged on 13.03.2026 in connection with the incident which is alleged to have occurred in the year 2020. There is absolutely no reason to lodge the FIR after such an inordinate delay. She further submits that the dispute is purely civil contractual in nature. The petitioner is ready to join the investigation.

3. Considering the submissions made above, issue notice. Issue notice of the stay petition as well.
4. Meanwhile and till the next date, no coercive action shall be taken against the petitioner in connection with FIR No.63/2026 registered on 13.03.2026 at Police Station Luni, District Jodhpur (City West).
5. Needless to observe that the petitioner shall join the investigation and shall appear before the Investigating Officer as and when required.
6. It is made clear that if petitioner does not co-operate during the investigation, the learned Public Prosecutor would be at liberty to move appropriate application seeking vacation of the interim order.

(SUNIL BENIWAL),J