

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

S.B. Criminal Miscellaneous (Petition) No. 3634/2026

1. Anil Kumar Chhaged S/o Shri Nathulal Chhaged, Aged About 55 Years, R/o 188-A Shastri Nagar Bhilwara Rajasthan
2. Vandana Chhaged W/o Shri Anil Kumar Chhaged, Aged About 53 Years, R/o 188-A Shastri Nagar Bhilwara Rajasthan

----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Omprakash Kalya S/o Shri Kanhaiya Lal Kalya, R/o B-267 R/o Shastri Nagar Bhilwara Police Station Kotwali Dist. Bhilwara Rajasthan

----Respondents

For Petitioner(s) : Mr. Rohin Bhansali

For Respondent(s) : Mr. Vikram Singh Rajpurohit, 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.01/2026 dated 03.01.2026 registered at Police Station Kotwali, District Bhilwara, for the offences under Sections 406, 420, 384 and 120-B of the Indian Penal Code, 1860.
2. Learned counsel for the petitioner submits that the present petition is a classic example of abuse of the process of law. It is submitted that an agreement was entered into between the petitioner and the complainant with regard to a joint venture for purchasing and developing a piece of land and sharing the profits thereof. It is further submitted that, in fact, the land was purchased by the petitioner and the entire investment was also

made by the petitioner. However, on account of certain differences, the agreement could not be materialised and some disputes arose between the parties. Thereafter, another agreement was entered into between the petitioner and the complainant whereby the earlier agreements executed between them were cancelled. Despite this, the aforesaid FIR has been lodged only to harass the petitioner.

3. Considering the submission made above, issue notice. Issue notice of the stay petition as well.

4. Learned Public Prosecutor accepts notice on behalf of the respondent No.1 State. Thus, notice be issued to the respondent No.2 only.

5. Meanwhile and till the next date, no coercive action shall be taken against the petitioner in connection with FIR No.01/2026 dated 03.01.2026 registered at Police Station Kotwali, District Bhilwara.

6. Needless to observe that the petitioner shall join the investigation and shall appear before the Investigating Officer as and when required.

7. 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