

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

S.B. Criminal Revision Petition No. 953/2023

1. Chirag Bhandari S/o Sunil Bhandari, Aged About 36 Years,
R/o 336-A, Vardhman Nagar, Chb, Jodhpur City West,
Jodhpur, Raj.
2. Ravindra Singh S/o Durg Singh, Aged About 36 Years,
Bada Bas, Osian, Basni, Jodhpur City West, Jodhpur At
Present Residing At Maliyo Ki Dhani, Sangariya, Basni,
Jodhpur City West, Jodhpur, Raj.

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Gautam Paswani S/o Jagdish Paswani, Aged About 46
Years, C-14, Krishna Nagar, Basni, Jodhpur City West,
Jodhpur, Raj.

-----Respondents

For Petitioner(s) : Mr. Naman Mohnot

For Respondent(s) : Mr. S.K. Bhati, P.P.

HON'BLE MR. JUSTICE FARJAND ALI

Order

01/08/2023

1. In the cross case bearing FIR No.122/2021 of P.S. Basni, Jodhpur Metro, after investigation, it was concluded in the report under Section 173 of Cr.P.C. that the accused (1) Gautam paswani, (2) Gopal Singh, (3) Shahjada Raees, (4) Sitapuri Goswami, (5) Bhuraram, (6) Ashok Kumar, (7) Jogendar Singh, (8) Karan Sharma and (9) Dinesh Nayak @ Bhoma formed an unlawful assembly with intent to commit offence of robbery and whereafter entered into the place of Bandhari workshop. The entire seen has been captured in a CCTV camera installed at that place.

2. In view of the finding reached in the aforementioned FIR, learned counsel for the petitioner Shri Naman Mohnot submits that the present case is lodged with an ulterior object to harass the petitioner and is nothing but an abuse of process of law. From the circumstances appearing in this case, no offence for which the charges are framed is made out.

3. The matter requires consideration.

4. Issue notice to the respondents.

5. Learned Public Prosecutor accepts notice for respondent No.1 State. Hence, Issue notice to respondent No.2 only, returnable on 06.10.2023.

6. In the meanwhile, further proceedings pending before learned Additional District and Session Judge No.5, Jodhpur, Metropolitan in Sessions Case No.104/2022 qua the petitioners shall remain stayed.

(FARJAND ALI),J