

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous (Petition) No. 4868/2026
CNR: RJHC010593822026 | URN: CRLMP / 8764U / 2026

1.

Smt. Rajesh Kanwar W/o Dalpat Singh Sekhawat, Aged About 68 Years, R/o Behind Daga Bangla, Sarwodaya Basti Bikaner, Dist. Bikaner.
2.

Virendra Pratap Singh S/o Dalpat Singh Sekhawat, Aged About 38 Years, R/o Behind Daga Bangla, Sarwodaya Basti Bikaner, Dist. Bikaner.

-----Petitioners

Versus

1.

State Of Rajasthan, Through Pp
2.

Smt. Anju Kanwar Rathore W/o Shri Arvind Singh Shekhawat, R/o Behind Daga Bungalow, Bangla Nagar, Gajner Road, Bikaner Raj.

-----Respondents

For Petitioner(s)	:	Mr. DS Gharsana
For Respondent(s)	:	Mr. Hanuman Prajapati, PP Mr. Pradhuman Singh, for complainant

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

23/07/2026

1.

Present criminal miscellaneous petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.284/2023 registered at Police Station Nayashahar, District Bikaner, for offences punishable under Sections 341, 354, 509 and 34 IPC.
2.

Learned Public Prosecutor submits that the investigating agency has completed the investigation. Upon consideration of the statements of the witnesses, documents, photographs and CCTV footage collected during the course of investigation, petitioner No.1 has been prima facie found involved in the commission of offences punishable under Sections 447, 427 and 34 IPC, whereas petitioner No.2 has been prima facie

found involved in the commission of offences punishable under Sections 447, 427, 379 and 34 IPC.

3. The factual status report submitted by the learned Public Prosecutor is taken on record.

4. In considered opinion of this Court, bare perusal of FIR reveals the commission of cognizable offences. Furthermore, during the course of investigation, Investigating Agency has collected material and recorded statements which, prima facie, indicate the involvement of petitioner in the alleged offences.

5. The legal position regarding scope of interference by High Court in exercise of its inherent jurisdiction under Section 482 Cr.P.C. (Now Section 528 BNSS) stands settled by a catena of judicial pronouncements including ***State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335 and Neeharika Infrastructure Pvt Ltd. v. State of Maharashtra & Ors. (2021) 19 SCC 401***. It is well established that power to quash an FIR is to be exercised sparingly, with great caution and only in exceptional circumstances. Therefore, where the allegations contained in the FIR, read as a whole, disclose the commission of a cognizable offence and the material on record prima facie points towards the involvement of the accused, the High Court would be slow to interfere under Section 482 Cr.P.C.

6. In the present case, as per the factual status report placed on record, investigation has already been completed. Furthermore, petitioner has failed to demonstrate that continuation of criminal proceedings would amount to an abuse of process of law so as to warrant interference by this Court in exercise of its inherent jurisdiction under Section 482 Cr.P.C. The case of petitioner also does not fall within any of the categories enumerated by Hon'ble Supreme Court in ***Bhajan Lal*** (supra) for exercise of inherent power for quashing of FIR. In view

of the aforesaid, this Court is of considered opinion that no case for interference is made out and consequently, the prayer for quashing of impugned FIR stands rejected.

7. Since the investigation in present case has already been concluded and custodial interrogation of petitioner is no longer required, this Court deems it appropriate to dispose of present miscellaneous petition with liberty to petitioners to appear and furnish bail bonds to the satisfaction of learned Trial Court within a period of fifteen days from the date of receipt of certified copy of this order. The same shall be accepted by learned trial court in accordance with law. In the event petitioners fails to appear and furnish bail bonds within the aforesaid period, learned Trial Court shall be at liberty to proceed against him strictly in accordance with law. It is further clarified that petitioners shall be at liberty to raise all such grounds and contentions as may be available to him before learned Trial Court at appropriate stage of the proceedings.

8. Accordingly, present criminal miscellaneous petition stands disposed of.

9. Stay application and all other pending applications, if any, stand disposed of.

(BALJINDER SINGH SANDHU),J