

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

S.B. Criminal Misc(Pet.) No. 5295/2024

Budha Ram S/o Shri Debu Ram, Aged About 40 Years, R/o Jhalamaliya, Police Station Gachchhipura, District Deedwana-Kuchaman (Raj)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Debu Ram S/o Asha Ram, R/o Jhalamaliya, Police Station Gachchhipura, District Deedwana-Kuchaman (Raj)

-----Respondents

For Petitioner(s) : Mr. Manjeet Godara.

For Respondent(s) : Mr. Mahipal Bishnoi, PP.

HON'BLE MR. JUSTICE ARUN MONGA

Order

08/08/2024

1. Learned counsel for the petitioner states that the adoptive father of the petitioner had bequeathed the property in question in favour of the petitioner, qua which mutation entry was carried out in his favour in accordance with law. Petitioner has been throughout cultivating the said agricultural land, which is the subject matter of the FIR registered at the instance of his biological father, who has made the false allegation that the mutation entry was carried out in his name by forging the title of the land in favor of his adoptive father.

2. Learned counsel further submits that, in any case, the dispute is purely civil in nature, regarding which revenue proceedings have also been instituted by the complainant, i.e., his biological father, which are sub judice.

3. Issue notice.
4. Learned Public Prosecutor accepts notice on behalf of respondent No.1 - State. Let notice be issued to respondent No.2.
5. Learned Public Prosecutor seeks time to file a report.
6. Meanwhile, no coercive steps shall be taken against the petitioner qua the FIR in question. However, petitioner shall join the investigation as and when summoned by the Investigating Officer.

(ARUN MONGA),J

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