

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous (Petition) No. 5007/2026
CNR: RJHC010602352026 | URN: CRLMP / 9004U / 2026

- Gauri Shankar S/o Paras Ram, Aged About 34 Years, R/o H.no. 302, Sector No.-5, Ward No.-29, Nohar, District Hanumangarh.raj.
- Minakshi @ Meenu D/o Paras Ram, Aged About 40 Years, R/o H.no. 302, Sector No.-5, Ward No.-29, Nohar, District Hanumangarh.raj.
- Sita @ Siya W/o Gauri Shankar, Aged About 25 Years, R/o H.no. 302, Sector No.-5, Ward No.-29, Nohar, District Hanumangarh.raj.

-----Petitioners

Versus

- State Of Rajasthan, The State Of Rajasthan Through Its P.p.
- Rohtash S/o Anil Kumar, R/o Mammad-Khera, Raniya, District Sirsa. Haryana

-----Respondents

For Petitioner(s)	:	Mr. DS Gharsana, through VC
For Respondent(s)	:	Mr. Hanuman Prajapati, PP Mr. RS Choudhary

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

27/07/2026

Learned counsel for the petitioner submits that, even if the allegations contained in the transcript are accepted at their face value, at the highest, the case discloses only a situation of heartbreak and does not constitute any act of instigation so as to attract the alleged offence. He further places reliance upon the judgment of the Hon'ble Supreme Court in *Kamaruddin Dastagir*

Sanadi v. State of Karnataka through SHO, Kakati Police, reported
in 2024 INSC 908

In view of the same, this Court is inclined to interfere in the
matter.

Learned PP is directed to call for the report.

Issue notice.

Learned PP accepts notice on behalf of respondent-State and
Mr. RS Choudhary accepts notice on behalf of respondent No.2.

List the matter on 24.08.2026.

Meanwhile, till the next date of hearing, the petitioners shall
not be arrested in connection with the FIR No.225/2026 registered
at Police Station Nohar, District Hanumangarh. However, the
petitioners are directed to join investigation.

(BALJINDER SINGH SANDHU),J