

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

S.B. Criminal Miscellaneous (Petition) No. 4995/2026
CNR: RJHC010608342026
URN: CRLMP / 8971U / 2026

1. Sushma Acharya W/o Ajay Kumar Acharya, Aged About 68 Years, Resident Of Resident Of- 100, Jaswant Saray, Station Road,udaimandir, Jodhpur Raj.
2. Ajay Kumar Acharya Advocate S/o Shri Purshottam Acharya, Aged About 72 Years, Resident Of- 100, Jaswant Saray, Station Road,udaimandir, Jodhpur Raj.

-----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Dinesh Kumar Godar S/o Shri D.r. Choudhary, Resident Of- 29 Roopnagar, Paota, Jodhpur Raj.

-----Respondents

For Petitioner(s)	:	Mr. Ravindra Kumar Mr. Gopi Ram Goyal
For Respondent(s)	:	Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

06/07/2026

The present criminal misc. petition has been filed by the petitioners under Section 528 of BNSS for quashing of FIR No.539/2025, registered at Police Station Udaimandir, Jodhpur City East for offences under Sections 318(4), 336(3), 338, 340(2) and 61(2) of BNS.

It is argued by the learned counsel for the petitioner that, in the present case, the document pertaining to the plot registered in the name of petitioner no.1 have been misused by the complainant. It is further stated that forged documents were allegedly prepared on the basis of the aforesaid documents. It is stated that regarding which an FIR has been registered and

cancellation suit has also been filed which is pending consideration. It is stated that the, present FIR has been registered solely to pressurize the petitioners into compromising the earlier dispute. It is contended that the present FIR is based upon a power of attorney which had already been cancelled by the petitioner and the same has also been published in the newspaper. Further such power of attorney has already formed part of earlier investigation. Hence, in fact no FIR could have been registered as the petitioner is being unnecessarily harassed and pressurized to settle the earlier matter.

This Court has considered the matter as well as gone through the FIR, this Court is inclined to interfere.

Issue Notice.

Learned Public Prosecutor accept notice on behalf of respondent-State.

Let notice be issued to respondent No.2, returnable with eight weeks.

Learned counsel for the petitioner is directed to file extra-set within a period of one week, failing which, the instant criminal misc. Petition shall automatically stand dismissed without further reference to this Court.

In the meanwhile, till the next date further investigation in connection with FIR No.539/2025, registered at Police Station Udaimandir, Jodhpur City East shall remain stayed.

(BALJINDER SINGH SANDHU),J