

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

S.B. Criminal Miscellaneous (Petition) No. 5061/2026
CNR: RJHC010621782026
URN: CRLMP / 9105U / 2026

1. Sumitra W/o Krishan Kumar, Aged About 53 Years, Ward No. 20 Khajuwala, Bikaner.
2. Om Prakesh S/o Birbal Ram, Aged About 60 Years, Resident Of Ward No. 03, Khajuwala, Bikaner
3. Santram S/o Sharwan Kumar, Aged About 38 Years, Resident 7 Kld, Khajuwala , Bikaner.
4. Punit Kumar S/o Krishan Kumar, Aged About 28 Years, Resident Of Ward No 20 Khajuwala, Bikaner
5. Krishan Lal S/o Manful Ram, Aged About 55 Years, Resident Of Ward No 20 Khajuwala, Bikaner
6. Sharwan Kumar S/o Maniram, Aged About 65 Years, Resident Of Resident 7 Kld Khajuwala, Bikaner.

----Petitioners

Versus

1. State Of Rajasthan, Through Its Pp
2. Lakhveer Singh S/o Sh. Budhram, Resident Of 26 Kyd A, Khajuwala, Dist. Bikaner Raj.

----Respondents

For Petitioner(s)	:	Mr. Dishant Kiroriwal
For Respondent(s)	:	Mr. Sameer Pareek, 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.37/2026, registered at Police Station Khajuwala, District Bikaner for offences under Sections 420, 406, 467, 471, 468 and 120-B of IPC.

Learned counsel for the petitioners submits that the petitioners are bona fide purchasers of the land in question, having purchased the same in the year 2023. It is contended that

the seller subsequently executed a sale deed in favour of the complainant in respect of the same property. It is, therefore, submitted that, if any criminal liability arises from the subsequent transaction, the same can be attributed only to the seller. The petitioners, being bona fide purchasers who had acquired the property nearly three years prior to the subsequent sale, cannot, under any circumstances, be arraigned as accused in the present case.

The matter requires consideration.

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 petitioners 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 of hearing petitioners shall not be arrested in connection with FIR No.37/2026, registered at Police Station Khajuwala, District Bikaner. However, petitioner shall join investigation.

(BALJINDER SINGH SANDHU),J