

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

S.B. Criminal Miscellaneous (Petition) No. 5356/2026
CNR: RJHC010623602026
URN: CRLMP / 9588U / 2026

1.

Kishan Lal Meena S/o Gokul Meena, Aged About 47 Years,
R/o Village Gharwala Post Biloda District Chittorgarh
Rajasthan
2.

Dipak Bhil S/o Kani Ram Bhil, Aged About 28 Years, R/o
Village Gharwala Post Biloda District Chittorgarh
Rajasthan

----Petitioners

Versus

1.

State Of Rajasthan, Through Pp
2.

Hemant Sukawal S/o Laxmi Lal, Aged About 37 Years, R/o
Gandhi Nagar Chittorgarh Raj. At Present Assistant Mining
Engineer Khnij Vibhag Nibmbahed Chittorgarh

----Respondents

For Petitioner(s)	:	Ms. Sonu Rathore with Ms. Kamini Rathore
For Respondent(s)	:	Mr. Vikram Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Judgment / Order

17/07/2026

This criminal misc. petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been preferred on behalf of the petitioner(s) seeking quashing of FIR No.79/2026, registered at Police Station Dungla, District Chittorgarh.

Learned counsel submitted that the FIR itself discloses a civil dispute arising out of a contract/execution of documents between the parties. However, the Investigating Officer is proceeding to

take coercive action against the petitioner(s) without considering the documents in their possession. It is contended that the controversy is essentially based on documentary evidence and unless the documents relied upon by the petitioner(s) are duly considered, the true factual position would not emerge. Therefore, any coercive action taken against the petitioner(s) without considering such documents would be unjustified. It is further submitted that the petitioner(s) may be granted an opportunity to place their documents before the Investigating Officer.

In view of the above, learned counsel prayed that the petitioner(s) may be permitted to submit all relevant documents before the Investigating Officer, who may be directed to consider the same objectively, and till such consideration, limited protection may be granted to the petitioner(s).

This Court has considered the submissions advanced by learned counsel for the petitioner(s).

The controversy appears to be based upon documents executed by the parties. Though the authenticity and validity of such documents are disputed. However, the documents relied upon by the petitioner(s) are also required to be objectively considered by the Investigating Officer.

Accordingly, the present criminal misc. petition is disposed of with liberty to the petitioner(s) to submit a detailed representation before the concerned Investigating Officer within a period of seven days from today, raising all the grounds urged in the present petition along with all relevant documents in support thereof.

In the event such representation is submitted, the concerned Investigating Officer shall objectively and minutely consider the contents thereof. All documents annexed with the representation shall also be duly taken into consideration before taking any further decision in accordance with law.

Till the expiry of fifteen days from the date of submission of the representation, the petitioner(s) shall not be arrested in connection with FIR No.79/2026, registered at Police Station Dungla, District Chittorgarh.

The stay petition as well as all pending application(s), if any, also stand disposed of.

(BALJINDER SINGH SANDHU),J