

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

S.B. Criminal Miscellaneous (Petition) No. 5660/2026
CNR: RJHC010667492026
URN: CRLMP / 10071U / 2026

Sachin Sharma S/o Shri Raj Narayan Sharma, Aged About 35 Years, R/o 72 Pratapmal Hansajis Chawl, Patravali Chawl, Mansi Flatsmehndi Kuva, Dudheshwar, Ahmedabad City, Po Shahibag, District Ahmedabad, Gujarat.

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Manohar Singh S/o Shri Dhan Singh, Aged About 34 Years, R/o Ward No 17, Shivpura, Pokaran, District Jaisalmer, Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Pankaj Arora
For Respondent(s)	:	Mr. Vikram Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

17/07/2026

This criminal misc. petition under Section 528 BNSS has been filed by the petitioner for quashing of FIR No.79/2025 registered at Police Station, Pokaran, District Jaisalmer for the offence under Sections 318(4) and 316(5) of BNS, 2023.

Counsel for the petitioner submits that the allegations are against Sandeep, who is the main accused and petitioner has been falsely enroped in the case. He is owner of R.K. Trading Company, which is alleged to have received the amount. He states that the amount was received for installation of solar plant against work-order, hence, the matter is of civil nature.

Learned Public Prosecutor while opposing the petition has submitted factual report, which is taken on record, and states that in fact the petitioner Sachin is Sandeep and he is involved into frauds in different States and there are in as many as 13 cases registered against him and is also a history-sheetor, whose name finds mention in the history-sheet of Police Station Patti, District Pratapgarh, Utar Pradesh.

This Court has heard learned counsel for the petitioner.

A bare reading of FIR reflects prima facie that the petitioner has cheated the respondent. It is also fortified from the fact that he is presenting himself as Sandeep as well as Sachin and approaching Courts stating that the main accused is Sandeep. Further, there are several cases registered against him and hence the matter requires investigation as to the identity of the petitioner also.

Hon'ble Apex Court in **M/s. Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharashtra & Ors., reported in 2021 INSC 253** has stated that the investigation cannot be throttled.

This Court finds prima facie involvement of the petitioner in the case, hence, no case for interference is made out.

The misc. petition is dismissed.

The factual report dated 14.07.2026 is taken on record.

Stay application and all pending applications, if any, stands disposed of accordingly.

(BALJINDER SINGH SANDHU),J