

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

S.B. Criminal Misc(Pet.) No. 6875/2024

Rajpal Serdiya S/o Shri Tiku Ram, Aged About 28 Years, R/o
Kanota Tehsil Sujangarh, Churu.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Govind Ram S/o Hari Ram Jat, R/o Karedjda, Tehsil
Sujangarh, District Churu.

-----Respondents

For Petitioner(s) : Mr. R.S. Choudhary.
Mr. S.S. Gour.

For Respondent(s) : Mr. Vikram Rajpurohit, PP with Mr.
Hanuman Singh.

HON'BLE MR. JUSTICE ARUN MONGA

Order

09/10/2024

Learned counsel for the petitioner contends that neither was the petitioner, who has serving as a Patwari, seized of the mutation file of the property in question, which was sought to be mutated in favour of the petitioner nor he ever had any personal contact with the complainant, as the mutation was applied online, so as to demand the illegal gratification of Rs.1500/- as has been alleged by the complainant. He submits that without there being any corroborating proof of any kind either telephonic or there being any independent witness, merely on the verbal allegation of the petitioner, the FIR in question has been registered under Section 7 of the Prevention of Corruption Act with the allegation that the petitioner had demanded an illegal gratification of

Rs.1500/- to reject the mutation recorded in favour of the petitioner.

He would further point out that in any case upon receipt of the online application by the petitioner, the same was duly forwarded promptly on the very next date to the concerned Gram Panchayat for taking further action.

Issue notice.

Mr. Vikram Rajpurohit, PP accepts notice on behalf of the respondent No.1-State and seeks time to file status report.

Let notice be issued to the respondent No.2.

Meanwhile, investigation to continue, but no coercive step shall be taken against the petitioner, qua the FIR in question.

(ARUN MONGA),J