



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

S.B. Criminal Miscellaneous (Petition) No. 7475/2025

Kuldeep S/o Ram Kishan, Aged About 18 Years, R/o Foolan,
P.s. Siwana, District Balotra

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Kastura Ram S/o Son Of Padma Ram, R/o Mokalsar,
District Balotra

-----Respondents

For Petitioner(s) : Mr. R.J. Poonia
For Respondent(s) : Mr. Vikram Rajpurohit, Dy.G.A.

HON'BLE MR. JUSTICE FARJAND ALI

ORDER

DATE OF CONCLUSION OF ARGUMENTS	17/03/2026
DATE ON WHICH ORDER IS RESERVED	17/03/2026
FULL ORDER OR OPERATIVE PART	Full Order
DATE OF PRONOUNCEMENT	08/05/2026

BY THE COURT:-

1. The instant Misc. Petition has been instituted by the accused-petitioner invoking the inherent jurisdiction of this Court for quashing of FIR No.94/2025 registered at Police Station Siwana, District Balotra for the offences punishable under Section 324 (6) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r) &(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As borne out from the recitals contained in the impugned FIR, the prosecution case, in substance, is that on 22.04.2025,

the son and nephew of the complainant–Kastura Ram were allegedly subjected to physical assault by the accused-petitioner along with other co-accused persons. It is further alleged that the victims were humiliated, intimidated and abused by reference to their caste identity in a public setting. The FIR further manifests that upon intervention by certain independent persons present at the spot, the accused Kuldeep initially departed from the place of occurrence, however, shortly thereafter, he allegedly returned accompanied by his associates while driving a vehicle at an excessive and dangerous speed and intentionally rammed the same into the vehicle occupied by the victims with considerable force. As a consequence thereof, the airbags of the vehicle got deployed and the victims sustained injuries upon vital parts of the body including the stomach and abdomen, necessitating immediate medical treatment and hospitalization. Hence the instant Misc. Petition.

3. Learned counsel for the petitioner has vehemently contended that the allegations levelled in the FIR are false, fabricated and actuated by ulterior motives. However, such disputed questions touching upon factual veracity, credibility of allegations and evidentiary appreciation cannot be adjudicated by this Court while exercising its extraordinary and inherent jurisdiction under Section 482 Cr.P.C. / corresponding provisions of the BNSS.

4. Learned Dy.G.A. opposed the petition and submitted that the impugned FIR clearly discloses commission of cognizable offences under Section 324 BNS and Section 3(1)(r)(s) of the SC/ST Act. It was contended that the allegations regarding physical assault, caste-based humiliation and intentional ramming of the vehicle resulting in injuries to the victims are matters requiring thorough investigation. He further submitted that the truthfulness or falsity of the allegations cannot be adjudicated in proceedings under Section 482 Cr.P.C./BNSS, as this Court is not expected to undertake appreciation of disputed facts while exercising inherent jurisdiction. Reliance was also placed upon the report submitted by the Dy.S.P. indicating prima facie occurrence of the incident, damage to the vehicle and injuries sustained by the victims. It was thus urged that no ground for quashing of the FIR is made out and the petition deserves dismissal.

5. I have heard the counsel for the parties and gone through the niceties of the matter.

6. It is trite law that the power of quashing an FIR is to be exercised sparingly, with circumspection, and only in those exceptional situations where the allegations ex facie fail to disclose commission of any cognizable offence or where continuation of criminal proceedings would amount to abuse of the process of law. The jurisdiction under Section 482 Cr.P.C. is

not intended to convert the High Court into a fact-finding forum conducting a mini-trial at the threshold stage.

6.1. Merely because the accused asserts that the allegations are false or motivated cannot, ipso facto, furnish a legitimate ground for quashing the FIR. The truthfulness or falsity of the accusations, the reliability of witnesses, and the probative worth of the material collected are all matters falling squarely within the domain of investigation and, if necessary, trial. At this embryonic stage, the Court is only required to examine whether the averments contained in the FIR prima facie disclose commission of cognizable offences.

6.2. In the present case, a status report forwarded by the Deputy Superintendent of Police, who is supervising and conducting investigation in the matter, prima facie indicates occurrence of the incident in question. The report reflects damage caused to the vehicle of the victims, injuries sustained by them, as well as allegations of caste-based humiliation and intimidation directed against members of the Scheduled Caste community. The material presently available on record, therefore, unmistakably discloses ingredients constituting cognizable offences under the penal provisions invoked in the FIR.

6.3. This Court thus finds that the allegations levelled in the FIR cannot be said to be so inherently absurd, improbable or legally untenable so as to warrant interdiction of investigation

at this nascent stage. Interference by this Court in exercise of inherent powers would amount to premature stifling of a lawful investigation.

7. Consequently, this Court is of the considered opinion that no case for quashing of the impugned FIR is made out. The miscellaneous petition, being devoid of merit, deserves dismissal and is accordingly dismissed. The stay petition also stands disposed of.

(FARJAND ALI),J

15-Mamta/-