

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

S.B. Criminal Misc(Pet.) No. 9143/2024

Kailash Kumar S/o Murildhar, Aged About 35 Years, R/o Nagori Gate, Dist. Jodhpur City East, Raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Babu Lal S/o Anna Ram, R/o Rampura, Tinwari, Mathaniya, Jodhpur City East
3. Kapil Suthar S/o Asaram, R/o Chanwndiya, Khinwsar, Nagaur
4. Mohammad Kasim S/o Mohammad Gula, R/o Kumari, Nagaur, Dist. Nagaur,raj.

-----Respondents

Connected With

S.B. Criminal Misc(Pet.) No. 8700/2022

1. Babu Lal S/o Anna Ram, Aged About 56 Years, Rampura Tinwari Mathania, Dist. Jodhpur.
2. Mohammad Kasim S/o Mohammad Gulam, Aged About 93 Years, Vill. Kumari, Teh. And Dist. Nagaur.
3. Kapil Suthar S/o Asa Ram, Aged About 33 Years, Vill. Chawandiya, Teh. Khinvsar, Dist. Nagaur.

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Kailash Kumar S/o Murlidhar Chawla, Nagori Gate, Jodhpur.

-----Respondents

For Petitioner(s)	:	Mr. Vineet Jain, Sr. Adv. assisted by Mr. VD Gaur Mr. Sunil Mehta
For Respondent(s)	:	Mr. Shriram Choudhary, AGA Mr. Chetan Ram Jakhar Mr. Mohd. Sameer Khan

HON'BLE MR. JUSTICE FARJAND ALI

27/03/2025

1. At the outset, learned counsel for the State submitted a detailed factual report issued by Office of Deputy Commissioner, District Jodhur East dated 20.03.2025, the same be taken on record.
2. As per factual report, after thorough investigation the offence has not been found proved, and therefore, a negative final report has been chalked out. In this view of the matter, nothing survives for consideration in these petitions.
3. Accordingly, the instant criminal misc. petitions as well as stay petitions are disposed of.
4. The agency would file the negative final report with the concerned trial Court within a period of thirty days after receipt of a copy of this order.
5. Nonetheless the complainant would be at liberty to agitate the issues which have been raised before this Court by moving a protest petition. In light of the judgment passed by Hon'ble the Supreme Court in the plethora of judicial pronouncements and particularly in the case of ***Minu Kumari & Ors. Vs. the State of Bihar & ors. reported in (2006)4SCC359***, the prayer can be made including sending the matter back for further investigation or to take cognizance of the offence or to treat the protest petition as a complaint.

(FARJAND ALI),J