

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Criminal Misc(Pet.) No. 7693/2023

Jagdish

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

S.B. Criminal Misc(Pet.) No. 5766/2023

Jokham

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Dharendra Singh, Senior Advocate, assisted by Ms. Priyanka Borana
For Respondent(s)	:	Mr. Abhishek Purohit, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

09/01/2024

1. Heard learned counsel for the petitioner and perused the material as made available to this court.
2. A perusal of the order dated 04.02.2023 passed by this court in S.B. Criminal Writ Petition No.149/2023 is revealing that the victim 'S' and the present petitioner approached this court with the assertion that they had married and were having threat to their life at the hands of their family and therefore, the co-ordinate Bench passed an order regarding protection of their life and liberty. An affidavit of the victim 'S' notarized on 25.06.2022 further making corroboration of the plea that she was having love affair with the petitioner and she solemnized marriage with him. Further there is a hand written application of the victim 'S'

portraying herself to be wife of the petitioner, which was sent to the Incharge Outpost Siyana, Police Station Bagra, wherein she made serious aspersions against her family members while admitting the fact of marriage with the petitioner. The colour photographs available on record are further reflecting that the petitioner was putting vermilion on the forehead of the victim and both were garlanding each other. Noticing jovial mood in the colour photographs and considering the letter dated 02.04.2023, affidavit dated 25.06.2022 and the protection order dated 04.02.2023 and some love letters available on record, I deem it appropriate to make interference in the investigation.

3. Issue notice to the respondents. Learned Public Prosecutor accepts notice. Thus, notice be issued to the respondent No.R/2 only. Rule be made returnable on 21.03.2024.

4. In the meanwhile, the petitioner shall appear before the Investigating Officer and he would be at liberty to place all those documents upon which he relies and makes plea regarding his innocence. In the event the petitioner appears and supplies the documents, the Investigating Officer shall keep the same on record and necessary endorsement in this regard shall be made in the case diary and whereafter, the same shall be sent to this court on the next date of hearing. Till then, further investigation except the above in FIR No.111/2023 registered at the Police Station Barloot, District Sirohi shall remain stayed.

5. List on 21.03.2024.

(FARJAND ALI),J