

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 553/2020

Sheesh Ram Rawat S/o Shri Dayaram Rawat, Aged About 30
Years, R/o Village Morda, Teh Kotputli, District Jaipur, Raj.

-----Petitioner

Versus

1. State of Rajasthan, through Govt. Advocate.
2. Amir Azad S/o Shri Azad Hussain, Aged About 24 Years,
R/o 13, Fatima Colony, Karbala, PS Brahmpuri, District
Jaipur. -----Respondents

For Petitioner(s)	:	Mr. Gourav Pareek for Mr. Satish Kumar Khandal
For Respondent(s)	:	Mr. Jitendra Singh Rathore, PP Mr. Manish Gupta with Ms. Sweta Soni

JUSTICE ANOOP KUMAR DHAND
Order

29/04/2026

1. By way of filing the instant petition, a challenge has been led to the impugned FIR No.421/2019, registered with Police Station Vidhayak Puri, District Jaipur City(South), for the offence punishable under Section 365 IPC.
2. As per the grounds taken in the instant petition, the petitioner has been falsely booked in the instant case on account of a civil dispute between the parties regarding certain cheques. Hence, a false and fabricated FIR has been lodged with ulterior motive. Hence, under these circumstances, interference of this Court is warranted.
3. *Per contra*, learned Public Prosecutor as well as learned counsel for the complainant opposed the prayer and submitted that after investigation in the matter, *prima facie* case has been found against the petitioner along with co-accused persons

thereafter, charge-sheet has already been submitted against them for the abovestated offences before the Court of Chief Metropolitan Magistrate I, Jaipur Metropolitan on 07.10.2025. Hence, under these circumstances, interference of this Court is not warranted.

4. Heard and considered the submissions made at the Bar and perused the material available on record.

5. Perusal of the contents of the impugned FIR and the allegations levelled therein reveals commission of a cognizable offence and the correctness of the same cannot be examined/adjudicated by this Court while exercising its inherent jurisdiction contained under Section 482 Cr.P.C. Certainly, this task has been assigned to the Investigating Officer, who has already investigated the matter from all four corners and found *prima facie* case against the petitioner for the above stated offences and accordingly, charge-sheet has been submitted against him. Thereafter, the trial has already proceeded against the petitioner. Hence, under these circumstances, this Court deems it just and proper to dispose of the instant petition, while granting liberty to the petitioner to take all available defences at the appropriate stage of the trial, before the Trial Court.

6. Stay application and all pending application(s), if any, also stand disposed of.

7. A copy of the factual report dated 29.04.2026, furnished by the SHO of Police Station Vidhayakpuri, District Jaipur South, is ordered to be retained on record.

(ANOOP KUMAR DHAND),J