

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 1356/2022

Vijay Shankar Sharma Son of Shri Dhanna Lal, Resident of 115, Suraj Nagar (East), 22 Godown Near Civil Lines, Jaipur (Rajasthan).

-----Petitioner

Versus

1. State of Rajasthan, Through P.P.
2. Victim D/o Mangi Lal, Aged About 32 Years, R/o 17 Panchwati, Gopal Vihar, Police Station, Borkheda, Kota City, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Manish Gupta
For Respondent(s)	:	Mr. Narendra Singh Dhakar, PP Mr. Ravindra Singh Shekhawat

JUSTICE ANOOP KUMAR DHAND

Order

24/04/2026

1. The instant misc. petition is listed before this Court in pursuance of the directions issued by the Hon'ble Apex Court in the case of **Vijay Kumar and Ors. Vs. State of Rajasthan** (Petition for Special Leave to Appeal (Crl.) No. 773/2026, decided on 15.01.2026), wherein the Hon'ble Apex Court observed that in various matters, interim orders have been passed in criminal revision petitions and petitions filed under Section 482 Cr.P.C., as a result of which trial relating to serious offences such as murder, rape, dacoity, dowry death, etc., could not proceed and remained stalled/held up due to the passage of considerable time.

2. Directions have been issued to this Court and other High Courts to take up such like matters which are pending since long,

on priority and decide the same expeditiously without deferring the hearings to subsequent dates.

3. By way of filing the instant petition, a prayer has been made to quash the impugned FIR No. 313/2021, registered with the Police Station Borkheda, District Kota City for the offences punishable under Sections 376D IPC.

4. At the very outset, learned Public Prosecutor, on the basis of the factual report dated 23.04.2026 furnished by the SHO Police Station Borkheda, District Kota City, submits that after investigation, the police has submitted the Final Report (Negative) before the Court of the Additional Chief Judicial Magistrate No.1, Kota on 17.02.2023. Counsel submits that under the changed circumstances, no cause of action survives with the petitioner to continue with the instant petition, hence, the same has become infructuous.

5. Considering the above, the instant petition is dismissed as having become infructuous. Stay application and all pending application(s), if any, also stand dismissed.

6. A copy of the factual report dated 23.04.2026 furnished by the SHO of Police Station Borkheda, District Kota City is ordered to be retained on record.

(ANOOP KUMAR DHAND),J