

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 752/2026

Rajnesh Kumar S/o Omprakash, R/o Sihot Chhoti, Sadar, District
Sikar (Raj.)

----Petitioner

Versus

1. The State Of Rajasthan, Through PP
2. Sulochana Devi W/o Chhoturam, R/o Dhani Churoli, Sadar
Sikar District Sikar (Raj.)
3. Kanchan Khichar D/o Sh. Chhoturam, R/o Dhani Chudoli,
Tehsil Dhod, District Sikar (Raj.)

----Respondents

For Petitioner(s) : Mr. Mukesh Dudi

For Respondent(s) : Mr. M.S. Shekhawat, PP
Mr. Akshat Chaudhary &
Mr. Himanshu, for complainant

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN
Order

13/03/2026

Learned counsel for the petitioner submits that petitioner and victim-respondent No.3 are in relationship but complainant-respondent No.2, who is mother of respondent No.3, is not happy with this relationship. It is submitted that earlier also, one FIR No.403/2024 was lodged at Police Station Sadar Sikar, District Sikar against the petitioner wherein after full fledged trial, petitioner has been acquitted by learned trial Court. It is also evident from the acquittal order that victim and her mother, who is respondent No.2 in this petition, were declared hostile by the prosecution during the course of trial. Learned counsel contends that now, petitioner and victim-respondent No.3 have entered into marriage on 23.12.2025 and in this regard, marriage registration certificate has also been issued by the competent authority. It is contended that now, present FIR has been lodged on 25.12.2025 for the offence punishable under Section 137(2) of BNS to harass

the petitioner and victim-respondent No.3. It has also been submitted that petitioner and victim are residing under the same roof and leading a happy married life.

Mr. Himanshu, Adv. has put in appearance on behalf of victim-respondent No.3. He submits that victim-respondent No.3 is a major girl, aged about 19 years. Her date of birth is 01.01.2007 as per mark-sheet of Secondary Examination, 2023. Learned counsel submits that he does not dispute the facts narrated by counsel for petitioner.

Mr. Akshat Choudhary, Adv. has put in appearance on behalf of respondent No.2. He has disputed the facts narrated by learned counsel for the petitioner and submitted that at the time of alleged incident, victim was below 18 years of age.

Matter requires consideration.

Issue notice to the respondents.

Learned State counsel accepts notice on behalf of respondent No.1.

Since counsel have put in appearance on behalf of respondent Nos.2 & 3, service is complete.

List this matter on 06.05.2026.

Meanwhile, counsel for respondent No.2 may file reply.

Till next date of hearing, further investigation in FIR No.431/2025 registered at Police Station Kotwali Sikar, District Sikar shall remain stayed.

(ANIL KUMAR UPMAN),J