

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.860/2020

1. Vikram S/o Radhe, R/o Bandpura Mandawara Thana, New Mandi Hindon District Karauli, Raj.
2. Raman S/o Ramsingh, R/o Bandpura Mandawara Thana, New Mandi Hindon District Karauli, Raj.
3. Monu S/o Devi Singh, R/o Bandpura Mandawara Thana, New Mandi Hindon District Karauli, Raj.
4. Radhe S/o Naththi, R/o Bandpura Mandawara Thana, New Mandi Hindon District Karauli, Raj.
5. Keshula S/o Naththi, R/o Bandpura Mandawara Thana, New Mandi Hindon District Karauli, Raj.

----Petitioners

Versus

1. State Of Rajasthan, Through Pp.
2. Gourav Kumar Swarnkar S/o Rameshwar Swarnkar R/o Ronshi Thana Nadoti District Karauli, At Present Jen, R City Jaipur Discom Hindon City, District Karauli.

----Respondents

For Petitioner(s)	:	Mr. Mohit Verma for Mr. Abdul Rahim Khan
For Respondent(s)	:	Mr. Shree Ram Dhakar, PP

JUSTICE ANOOP KUMAR DHAND
Order

28/04/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made to quash the impugned FIR No.91/2019 registered with Police Station New Mandu Hindaun, District Karauli for the offences under Sections 143, 332, 342, 353 and 379 IPC.
2. Learned counsel for the petitioner submits that there is no iota of evidence against the petitioner, even then he has been falsely booked in the impugned FIR with an ulterior motive of the complainant. Hence, interference of this Court is warranted.

3. *Per contra*, learned Public Prosecutor opposes the prayer and submits that after thorough investigation in the matter from all the four corners, *prima facie* case is found to be proved for the above stated offence and charge-sheet has already been submitted against them on 27.11.2020. Hence, under these circumstances, interference of this Court is not warranted.

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

5. Perusal of the allegations levelled in the impugned FIR reveals commission of cognizable offence. The correctness of the allegations cannot be examined or adjudged by this Court while exercising its inherent jurisdiction under Section 482 Cr.P.C. This Court cannot conduct fishing and roving inquiry to find out the truth behind the allegations levelled against the petitioners. Certainly, this task has been assigned to the Investigating Officer, who has investigated the matter and has found *prima facie* case against the petitioners and submitted charge-sheet against them.

6. Considering the above facts and circumstances of the case, this Court deems it just and proper to dispose of the instant misc. petition granting liberty to the petitioners to take all the grounds and all available defences which have been taken before this Court, at the appropriate stage of the trial before the Trial Court.

7. With the aforesaid observations, the instant criminal misc. petition stands disposed of. Stay application as well as all pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J