

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3627/2020

Sitaram S/o Late Shri Badri Narayan,
Patel Nagar Grah Nirman Sahakari Samiti Ltd

----Petitioner

Versus

State Of Rajasthan

----Respondent

Connected With

S.B. Criminal Miscellaneous (Petition) No. 1565/2023

Sitaram S/o Late Shri Badri Narayan,

----Petitioner

Versus

State Of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Prahlad Sharma (in S.B. Criminal Miscellaneous (Petition) No. 3627/2020) Mr. Anshuman Saxena (S.B. Criminal Miscellaneous (Petition) No. 1565/2023)
For Respondent(s)	:	Mr. Sher Singh Mehla, PP

HON'BLE MR. JUSTICE SAMEER JAIN

Order

02/01/2024

Learned counsel Shri Prahlad Sharma, representing the petitioner-society in misc. petition no. 632/2020, submits that the petitioners are seeking fair and speedy investigation in pursuance to FIR No. 642/2012 dated 14.08.2012 registered at PS JDA, Jaipur and subsequently transferred to PS Ramnagar, Jaipur, for the alleged offence under Sections 420 and 120-B of IPC. It is submitted that that despite the FIR being registered in 2012 and

despite specific orders of this Court, no investigation is being conducted by the authorities.

On the other hand, in the cross petition no. 1565/2023, learned counsel Shri Anshuman Saxena representing the petitioners therein has prayed for quashing of the FIR No. 642/2012 dated 14.08.2012 (supra). It is submitted that the criminal proceedings have been initiated on false premises at a belated stage and on wrong facts. The locus standi of the society is also challenged.

Having heard learned counsel for the parties and on perusal of the record, it is noted that on several occasions time is sought by the investigating agencies to complete the investigation. In these facts and circumstances, considering that the orders of this Court have not been duly complied with, this Court is compelled to call the Respondent No.2 (Commissioner of Police, Jaipur Commissionerate, Jaipur) to remain present in Court on the next day, either in person or through VC. The Respondent No.2 is also directed to appoint a competent investigating officer who shall continue the investigation and who shall also remain present on the next date along with latest factual report and case diary.

List the matter on 16.01.2024.

Registrar (Judicial) is directed to supply a copy of this order in the office of Commissioner of Police, Jaipur Commissionerate, Jaipur for necessary compliance.

(SAMEER JAIN),J