

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2760/2022

Jaipal Meena S/o Suwa Lal Meena, Aged About 32 Years, R/o
Ward No. 4, Byour, Sanwaipur (Shekhawatan), District Sikar.

-----Petitioner

Versus

1. State of Rajasthan, Through P.P.
2. Victim

-----Respondents

For Petitioner(s)	: Mr.Sameer Sharma
For Respondent(s)	: Mr.Jitendra Rathore, PP with Mr.Gaurav Gupta, Asst. GA.

JUSTICE ANOOP KUMAR DHAND

Order

22/05/2026

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 criminal misc. petition, a prayer has been made to quash the impugned F.I.R. No.49/2022, registered at Police Station Ajeetgarh, District Sikar for the offences punishable under Sections 376(2)(n) & 506 IPC.

4. Learned counsel for the petitioner submits that in fact, there was a financial dispute between the petitioner and the husband of the prosecutrix, wherein the husband of the prosecutrix borrowed certain sum of money from the petitioner and when the petitioner demanded repayment of the borrowed money, the husband of the prosecutrix refused to return the same and the impugned F.I.R. based on false allegations has been lodged by concocting a false story. Hence, the impugned F.I.R. may be quashed.

5. *Per contra*, learned Public Prosecutor opposes the prayer and submits that after thorough investigation in the instant matter, a *prima facie* case is found to be proved against the petitioner for the offence under Sections 376 (2)(n), 450 & 506 IPC and charge-sheet has already been submitted against him before the concerned Court on 06.01.2023. The trial is in progress and even the statements of the prosecutrix have been recorded. Hence, interference of this Court is not warranted.

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

7. Perusal of the impugned F.I.R. and allegations levelled therein reveals commission of cognizable offence. The correctness of the allegations cannot be examined by this Court while exercising its inherent powers contained under Section 482 Cr.P.C. This Court cannot conduct a roving and fishing enquiry to find out the truth behind the allegations levelled against the petitioner.

Certainly, this task has been assigned to the Investigating Officer, who has investigated the matter and already submitted charge-sheet against the petitioner for the above stated offences before the concerned Court way back in the month of January, 2023 and the statements of the prosecutrix have also been recorded.

8. Considering the overall facts and circumstances of the case, this Court deems it just and proper to dispose of the instant petition, granting liberty to the petitioner to take all the available defence at the appropriate stage of the trial, before the Trial Court.

9. With the aforesaid observation and direction, the instant petition stands disposed of. Stay application and all pending application(s), if any, also stand disposed of.

10. The factual report dated 12.05.2026 received from the Station House Officer, Police Station Ajeetgarh, District Sikar is ordered to be retained on record.

(ANOOP KUMAR DHAND),J