

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2353/2026

1. Smt. Asha Dube W/o Lt. Sh. Anurag Dube, Daughter-In-Law Of Late Sh. Vijay Krishan Dube, R/o D-248, Devi Marg, Bani Park, Jaipur.
2. Aparna Dube D/o Late Shri Anurag Dube, R/o D-248, Devi Marg, Bani Park, Jaipur.

----Petitioners

Versus

1. The State Of Rajasthan, Through P.P.
2. Bajrang Lal Bajaj S/o Babu Lal Bajaj, R/o Plot No. 53, Dhuleshwar Garden, C-Scheme, Jaipur.

----Respondents

For Petitioner(s) : Mr. Rinesh Gupta
Mr. Sarwat Alam

For Respondent(s) : Mr. Manvendra Singh Shekhawat, P.P.

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

06/05/2026

1. The present criminal miscellaneous petition has been filed by the petitioners seeking quashing of the FIR No.0318/2023 dated 22.08.2023 registered at Police Station – Sadar, Jaipur (West) for alleged offences punishable under Sections 341, 380, 453, 457, 147, 34 and 120B of the Indian Penal Code, 1860, and for setting aside the impugned order dated 04.02.2026 (Annexure-3) passed by the court of Additional Chief Judicial Magistrate No.4, Jaipur Metropolitan-II, in Case (CIS) No. 1924/2025 titled as Bajrang Lal Versus State, wherein directions for further investigation have been issued.

2. Learned counsel for the petitioners submit that the dispute is nothing but a pure civil dispute emanating from a developers agreement dated 01.02.1997, which was executed between Sh. Vijay Krishna Dubey (father-in-law of petitioner No.1 & grandfather of petitioner No.2) and the respondent No.2 – complainant – Sh. Bajrang Lal Bajaj.

3. Learned counsel submit that controversy has now boiled down to four flats being Flat Nos. 103, 203, 303 and 403, situated at residential plot No. D-248, Bihari Marg, Bani Park, Jaipur. The said four flats fall within the petitioners' share in terms of the abovementioned developers agreement and in respect of the same, several civil proceedings have already been initiated, wherein also, the entitlement of the petitioners *qua* the said four flats have not been disputed.

4. Learned counsel further submit that vide final report dated 11.06.2025 (Annexure-2), all the aspects and documents with respect to entitlement of the petitioners over the said four flats were duly considered and thus, there was no occasion for the learned trial court to mandate further investigation vide the impugned order.

5. Learned counsel further submit that under the guise of the impugned order dated 04.02.2026, the respondent No.2 – complainant is unnecessarily pressurizing the petitioner No.1 who is of 67 years of age and is a widow living with her daughter.

6. Taking note of the above, issue notice to the respondents No.1 & 2.

7. Learned Public Prosecutor puts in appearance on behalf of respondent No.1 and accepts notice.

8. Hence, service *qua* respondent No.1 stands complete. Let notice be filed only for respondent No.2, returnable within four weeks, both by ordinary process as well as registered post.

9. List the matter on 14.07.2026.

10 Till the next date, further proceedings in consequence to the impugned order dated 04.02.2026 (Annexure-3) passed by the court of Additional Chief Judicial Magistrate No.4, Jaipur Metropolitan-II, in Case (CIS) No. 1924/2025 titled as Bajrang Lal Versus State, relating to FIR No.0318/2023, Police Station – Sadar, Jaipur (West), shall remain stayed.

(ANUROOP SINGHI),J

DIPESH CHAYAL /05