

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2430/2026
CNR: RJHC020363162026 | URN: CRLMP / 5496U / 2026

Saurabh Gurjar, Earlier Working As Tehsildar, Raini, District Alwar
(Raj.)

-----Petitioner

Versus

1.

State Of Rajasthan, Through Public Prosecutor.

-----Respondent
2.

Raghuveer Singh S/o Late Kesar Singh, Aged About 72 Years, Resident Of Village Beelota, Tehsil Reni, District Alwar.

-----Complainant/Respondent

For Petitioner(s)	:	Mr. Shivam Kumar Sharma, Adv.,
For Respondent(s)	:	Mr. N.S. Dhakar, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

13/08/2026

1. Learned counsel for the petitioner submits that learned trial Magistrate has committed gross illegality in taking cognizance against the petitioner. Counsel submits that the petitioner has not committed any offence as alleged mutation was opened by the concerned Gram Panchayat. Counsel submits that though, an application was submitted before the petitioner on 06.12.2025, but same was forwarded by the petitioner to the Gram Panchayat as per the Notification dated 30.09.1982. Counsel submits that the petitioner is protected under Section 197 of Cr.P.C., as act done by the petitioner was in discharge of his official duty. Counsel submits that learned Revisional Court has also committed illegality

in dismissing the revision petition filed by the petitioner against the order of taking cognizance.

2. Matter requires consideration.
3. Issue notice to the respondents.
4. Learned Public Prosecutor accepts notice on behalf of the respondent No.1.
5. Let notices be issued to the respondent No.2 through both the process, returnable on the next date of hearing.
6. Requisites be filed within a period of two weeks, failing which this petition shall stand dismissed automatically without further reference to the Bench.
7. If needful is done within given time, list this matter after eight weeks.
8. Meanwhile, further proceedings pending before the learned Judicial Magistrate, Rajgarh, District Alwar in Criminal Case No.23/22/2025 arising out of FIR No.604/2022 registered at Police Station Rajgarh, District Alwar, shall remain stayed qua the petitioner.

(ANIL KUMAR UPMAN),J