

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 4480/2022

Vijay Kumawat Son Of Shri Bhawar Lal Kumawat,

-----Petitioner

Versus

State Of Rajasthan & Anr.

-----Respondents

For Petitioner(s) : Mr. Purshottam Sharma

For Respondent(s) : Mr. Chandragupt Chopra, PP

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

17/01/2024

1. Application (1/2023) filed by petitioner to take amended cause title on record is allowed, for reasons stated therein. Amended cause title is taken on record.
2. It has been informed by learned counsel for the petitioner that respondent No.2-complainant namely Dinesh Sharma has passed away on 28.12.2017 and a copy of death certificate is enclosed. In such view of the matter, service of respondent No.2-complainant stands dispensed with.
3. Counsel for petitioner submits that FIR No.386/2003 was registered at Police Station Bajaj Nagar, Jaipur for offences u/s 147, 341, 323 & 325 IPC, against three persons namely Devendra Sharma, Pawan Kumawat and Vijay Kumawat (present petitioner). According to the petitioner, charge sheet was filed in the present FIR on 15.11.2003 and thereafter, the criminal case was decided on 27.09.2007.

4. Petitioner moved an application dated 06.12.2021 before the Court of Additional Chief Metropolitan Magistrate No.7, Jaipur Metropolitan I, seeking to delete his name from the FIR. This application has been rejected vide order dated 04.05.2022 with findings that the details about the judgment passed in the present FIR are not available.

5. In such view of the matter, let available record with the trial Court in respect of FIR No.386/2003 registered at Police Station Bajaj Nagar, Jaipur be summoned along with report of the concerned Court.

6. List the matter on 20th February 2024.

(SUDESH BANSAL),J