

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3993/2014

1. Banwari Lal Sharma S/o Shri Bhola Ram Sharma, aged 50 years
 2. Bholaram Sharma S/o Shri Hari Kishan Sharma
 3. Mahendra Sharma S/o Ramji Lal Sharma
 4. Jai Lal S/o Gopi Meena
 5. Jhabra S/o Gopi Meena
 6. Hazari S/o Jai Lal
 7. Chiranji S/o Misya Meena
 8. Kamlesh S/o Mool Chand
 9. Lal Chand S/o Mool Chand
 10. Ramji Lal S/o Mogya
 11. Kalu S/o Chhote Lal
 12. Ram Bharosi S/o Chhote Lal
 13. Uganti devi W/o Chiranji
 14. Lad Bai W/o Ramji Lal
 15. Kadi W/o Ram Bharosi
 16. Kashturi W/o Jhabra
 17. Beena W/o Kalu Ram
 18. Guddi W/o Hazari
 19. Kamli W/o Pappu
 20. Bhagwati W/o Babu Lal
 21. Uganti W/o Bholaram
 22. Pista W/o Banwari
 23. Lalita Devi W/o Mahendra Sharma
- All R/o Village Kheda Mirjapur, Police Station & Tehsil Raini,
District Alwar.

----Accused-Petitioners

Versus

1. State of Rajasthan through Public Prosecutor.
2. Makkhan Lal S/o Keshar Mal, R/o Village Kheda Mirjapur,
Police Station & Tehsil Raini, District Alwar.

----Respondents-complainant

For Petitioner(s)	:	Mr. Raj Kumar Sharma
For Respondent(s)	:	Mr. Vijay Singh Yadav-PP Mr. Umesh Kumar Sharma

JUSTICE ANOOP KUMAR DHAND

Order

28/04/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made to quash the impugned FIR No. 170/2014 registered at the Police Station Raini, District Alwar for the offences punishable under Sections 143, 447, 379, 427 IPC and Section 3(1)(1d) of the SC/ST Act, as well as the entire criminal proceedings arising out of the impugned FIR.

2. Counsel for the petitioners submits that a revenue dispute with regard to the subject land is lying pending before the Sub Divisional Officer, wherein an interim order was passed against the complainant on 21.06.2010 and he was restrained to interfere in the disputed land bearing Khasra No. 543 rakba and 0.48 Hectare situated at Village Khera Mirzapur, District Rajgarh. Counsel submits that a false and fabricated story has been concocted by the complainant-party wherein the petitioners have been falsely implicated in the instant case, hence, interference of this Court is warranted.

3. Learned Public Prosecutor as well as counsel for the complainant oppose the arguments raised by counsel for the petitioners and submit that after thorough investigation in the present matter, a prima facie case has been found to be proved by the Investigating Officer against the petitioners, hence interference of this Court is not warranted and the instant petition is liable to be rejected.

4. Heard and considered the submissions made at bar and perused the material available on record.

5. Perusal of the allegations levelled in the impugned FIR reveals the commission of cognizable offence and the correctness of the allegations cannot be examined by this Court while exercising inherent powers contained under Section 482 Cr.P.C. This Court cannot conduct fishing and roving enquiry to find out the truth behind the allegations levelled against the petitioners. Certainly, this task has been assigned to the Investigating Officer.

6. Considering the over all facts and circumstances of the case, this Court deems it just and proper to dispose of the instant petition, granting liberty to the petitioners to file an appropriate representation along with relevant documents in support of their contentions before the Investigating Officer. It is expected from the Investigating Officer to consider the same and submit the conclusion report of investigation under Section 173 Cr.P.C. before the Competent Court, strictly in accordance with law.

7. Accordingly, the instant criminal misc. petition stands disposed of. The stay application and all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J