

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2776/2026

Rajesh Kumar S/o Sh. Harpat Singh, R/o 161, Defense Colony,
Hisar (Haryana).

----Accused/Petitioner

Versus

1. State Of Rajasthan, Through P.p.

----Respondent

2. Arjun Singh, Dy. S.p., Police Station Anti Corruption
Bureau, Camp, Jaipur.

----Complainant/Respondent

For Petitioner(s)	:	Mr. Kamendra Sihag with Mr. Kamendra Singh Rathore
For Respondent(s)	:	Mr. Manvendra Singh Rathore, PP

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

05/05/2026

1. The present criminal miscellaneous petition has been filed assailing the FIR No.173/1997 registered at Police Station ACB, Jaipur, for the alleged offences punishable under Sections 13(1)(d) & 13(2) of the Prevention of Corruption Act, 1988 and also under Sections 420, 468, 471 and 120B of IPC along with the subsequent proceedings in Regular Session Case No.29/2013, titled as State Vs. Bhinvaram & Ors. pending before the learned Special Judge, (Prevention of Corruption Act) No.3, Jaipur Metropolitan-II.

2. Mr. Kamendra Sihag, learned counsel for the petitioner, at the very outset, submits that vide judgment dated 03.11.2025 passed by this Court in ***S.B. Criminal Miscellaneous (Petition)***

No.4627/2015, titled as **Sunil Bansal Vs. State of Rajasthan & Anr.**, the impugned FIR No.173/1997 along with all subsequent proceedings have been quashed and set aside, though only *qua* the petitioner therein.

3. Learned counsel for the petitioner further submits that in the said judgment, it has been categorically held that FIR and the investigation are fundamentally founded on incomplete, distorted, selective and biased process and that the petitioner has been wrongly implicated without due process and even his examination result has not been withdrawn till date.

4. Learned counsel for the petitioner also submits that the case of the petitioner is identical to that of the petitioner in the said case viz. Sunil Bansal and thus, he be granted the benefit of the said judgment.

5. Learned counsel for the petitioner has also placed reliance on the judgment dated 07.04.2026 passed by this Court at Principal Seat Jodhpur in **S.B. Criminal Miscellaneous (Petition) No.3377/2024**, titled as **Sanyukt Shekhari Vs. State of Rajasthan and Anr.**, wherein it has been recognized that a Court has the power, in the interest of justice, to extend the benefit of its judgment to similarly situated persons, even if they are not before the Court and that failure to grant such relief would result in a grave anomaly and injustice, particularly where the very foundation of the proceedings is found to be untenable.

6. Taking note of the above, issue notice to the respondents.

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

- 8.** Let notice be filed for respondent No.2, returnable within six weeks. Notice be also sent through registered post in addition to the normal process.
- 9.** List the matter on 28.07.2026.
- 10.** In the meanwhile and till further orders, proceedings arising out of FIR No.173/1997 registered at Police Station ACB, Jaipur for the alleged offences punishable under Sections 13(1)(d) & 13(2) of the Prevention of Corruption Act, 1988 and also under Sections 420, 468, 471 and 120B of IPC, including those in Regular Session Case No.29/2013, titled as State Vs. Bhinvaram & Ors. pending before the learned Special Judge, (Prevention of Corruption Act) No.3, Jaipur Metropolitan-II, shall remain stayed.

(ANUROOP SINGHI),J