

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 487/2025

Upendra Singh Jadoun S/o Sh. Prem Pal Singh

----Appellant

Versus

State Of Rajasthan & Ors.

----Respondents

For Appellant(s)	:	Mr. Sunil Samdaria Mr. Ramesh Chand Bairwa
For Respondent(s)	:	Ms. Shikha Sharma for Mr. G.S. Gill, AAG

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

13/05/2025

Heard.

Issue notice to the respondents.

Ms. Shikha Sharma, associate of Mr. G.S. Gill, AAG enters appearance and takes notice on behalf of respondent No.1.

Heard on prayer for stay.

Learned counsel for the appellant would submit that even though the writ petition rendered infructuous and the *lis* brought before the Court by way of writ petition came to an end, learned Single Judge has assumed jurisdiction on an issue which could be taken up only by way of PIL by appropriate Bench and on a complaint made by one Ms. Yogita Bishnoi, as also assumed jurisdiction as if the petition before the Court was in the nature of criminal writ petition and directed issuance of bailable warrant followed by an order of registration of FIR which is against the Hon'ble Supreme Court verdict given in the cases of

M. Subramaniam and Another vs. S. Janaki and Another- (2020) 16 Supreme Court Cases 728, Bharat Amratlal Kothari and Anr. vs. Dosukhan Samadkhan Sindhi And Ors.- (2010) 1 Supreme Court Cases 234, Akella Lalitha vs. Konda Hanumantha Rao and Anr.-2022 SCC Online SC 928, Ambalal Parihar vs. State of Rajasthan & Ors.- (2023) 15 S.C.R. 213 & State of Uttar Pradesh and Ors. vs. Anil Kumar Sharma & Anr. (2015) 6 Supreme Court Cases 716 and further that the petitioner-appellant is being subjected to a criminal trial, it is directed that effect and operation of impugned order shall remain stayed. Moreover, taking into consideration the nature of grounds urged in the appeal, we are inclined to stay further proceedings in the pending case till the next date of hearing.

List the matter after four weeks after reflecting the name of Mr. G.S. Gill, AAG in the cause list as counsel for the respondent No.1-State.

(MUKESH RAJPUROHIT),J

(MANINDRA MOHAN SHRIVASTAVA),CJ