

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2752/2026

Jitendra Kumar & Anr.

-----Petitioners

Versus

State of Rajasthan & Anr.

-----Respondents

For Petitioner(s)	:	Mr. Ripu Daman Singh Naruka
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, P.P.

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

04/05/2026

The present criminal miscellaneous petition has been filed by the petitioners seeking quashing of FIR No.015/2026, registered at Police Station Sadar Sikar, District Sikar (Rajasthan), for the alleged offences punishable under Sections 318(4), 329(4), 336(2), 338, 336(3), 340(2) & 61(2) of BNS, 2023.

Mr. Ripu Daman Singh Naruka, learned counsel for the petitioners submits that the impugned FIR has been registered by the complainant/respondent No.2 – Banwari Lal Birla, alleging that complainant/respondent No.2 is the owner of the plot No.22, situated at New Sabalpura Colony, Village Sabalpura, Tehsil Sikar, vide sale deed dated 29.01.2013 and is having possession of the same, however, as he is required to travel for various purposes and is a resident of Assam, the petitioners taking benefit of absence of the complainant/respondent No.2, have illegally taken possession of the plot in question.

Learned counsel for the petitioners submits that the said allegation are on the face of it nothing but an abuse of process of law as the petitioners have a legal and valid title over the said

land in question on the basis of a registered sale deed dated 29.09.2025 (Annexure-2), which was duly registered in the Office of Sub-Registrar, Sikar Grameen, executed in their favour by one Mr. Kanaram.

The matter requires consideration.

Issue notice to respondents, returnable within six weeks. Notice be sent through registered post in addition to normal process.

Learned Public Prosecutor appears on behalf of respondent No.1 – State.

Notice be filed for respondent No.2.

List the matter on 21.07.2026.

In the meanwhile, the petitioners shall not be arrested in respect of the FIR in question subject to their cooperation in the investigation.

(ANUROOP SINGHI),J