

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.4253/2021

1. Maninder Gurjar @ Suniya S/o Sugreev Singh, R/o Birana, P.s. Mahwa, District Dausa.
2. Shanu Gurjar S/o Sugreev Singh, R/o Birana, P.s. Mahwa, District Dausa.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Learned Public Prosecutor.
2. Sangeeta Raj W/o Hanuman Raj, R/o Dhanturi, P.s. Mahwa, District Dausa, At Present Sarpanch, Gram Panchayat Thekra, P.s. Mahwa, District Dausa.

-----Respondents

For Petitioner(s)	: None present
For Respondent(s)	: Mr. Jitendra Singh Rathore, PP Mr. Raj Kumar Sharma

JUSTICE ANOOP KUMAR DHAND

Order

20/05/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made to quash the impugned FIR No.362/2021 registered at Police Station Mahwa, District Dausa for the offences punishable under Sections 504, 509 and 379 IPC and Sections 3(1)(c) and 3(2)(va) of SC/ST Act.
2. It has been averred in the instant petition that the petitioners have not committed any offence whatsoever and they are innocent, even then, they have been falsely booked in the instant case by the complainant with an ulterior and oblique motive. Hence, a prayer has been made for quashing the impugned FIR.
3. *Per contra*, learned Public Prosecutor opposed the prayer and submitted that after investigation in the aforesaid FIR charge-

sheet has already been submitted against the petitioner No.1-Maninder Gurjar for the offence under Sections 379, 504 and 509 IPC and Section 3(1)(r) and 3(2)(va) of the SC/ST Act before the concerned Court on 20.05.2022 and thereafter the trial has proceeded. Hence, interference of this Court is not warranted.

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

5. Perusal of the allegations levelled in the impugned FIR reveals 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, who has already thoroughly investigated the matter and submitted charge-sheet against the petitioner No.1-Maninder Gurjar and involvement of the petitioner No.2-Shanu Gurjar was not found to be proved.

6. Considering the overall facts and circumstances of the case, this Court deems it just and proper to dispose of the instant criminal misc. petition, granting liberty to the petitioners to take all available defences, which have been taken before this Court at the appropriate stage of the trial before the Trial Court.

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