

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Petition No. 3226/2025

Dinesh Singh alias Dinesh Sinsini S/o Shri Prahalad Dingh

-----Petitioner

Versus

State of Rajasthan & Anr.

-----Respondents

For Petitioner(s) : Mr. Sudhir Jain

For Respondent(s) : Mr. Jitendra Singh Rathore, PP

HON'BLE MR. JUSTICE ANAND SHARMA

Order

04/07/2025

Learned counsel for the petitioner would submit that impugned FIR has been lodged by the Secretary, Municipal Corporation, Bharatpur in respect of alleged construction/damage to the building/part of Fort.

Learned counsel for the petitioner would submit that the building is owned and maintained by Archaeological Survey of India.

Learned counsel for the petitioner also submits that in respect to the properties which are maintained and owned by Archaeological Survey of India, the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 are applicable. However, the FIR has been registered under wrong provisions.

Learned counsel for the petitioner further submits that the petitioner has received one notice issued by the Officer of Archaeological Survey of India, which is under adjudication. He further submits that under these circumstances, where the FIR

has been lodged by incompetent person by invoking misconceived provisions of law and more particularly when the issue with regard to construction is already under consideration of Archaeological Survey of India, no criminal element is involved in the instant matter.

Learned counsel for the petitioner would further submit that although the FIR has been lodged against unknown persons yet the Police Authorities are harassing the petitioner.

Matter requires consideration.

Issue notice to the respondent No.2 through ordinary process as well as by registered post.

Respondent No.1-State is already being represented through the learned Public Prosecutor.

Learned Public Prosecutor is directed to procure the status report with regard to the investigation in respect of Impugned FIR.

List the matter on 30.07.2025.

Till the next date of hearing, no coercive action shall be taken against the petitioner pursuant to impugned FIR.

(ANAND SHARMA),J