

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3661/2020

1. Manoj S/o Ramniwas, R/o Prem Nagar, Ps Sadar Tonk, Raj.
2. Dinesh S/o Ramniwas, R/o Prem Nagar, Ps Sadar Tonk, Raj.
3. Raju S/o Ramniwas, R/o Prem Nagar, Ps Sadar Tonk, Raj.
4. Anita D/o Ramniwas, R/o Prem Nagar, Ps Sadar Tonk, Raj.
5. Shanti D/o Ramniwas, R/o Prem Nagar, Ps Sadar Tonk, Raj.

----Petitioners

Versus

1. State Of Rajasthan, Through PP
2. Ramesh S/o Sukhpal, R/o Prem Nagar, Ps Sadar Tonk, Raj.

----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Narendra Singh Dhakar, PP

JUSTICE ANOOP KUMAR DHAND

Order

22/04/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made to the impugned FIR No.283/2019 registered with Police Station Sadar Tonk, District Tonk for the offences under Sections 447, 143, 323, 504 and 379 IPC.
2. It has been averred in the petition that the petitioner is not named in the FIR and the instant FIR has been lodged with false and fabricated allegations to put pressure upon the petitioners and

harass the petitioners, hence, interference of this Court is warranted.

3. *Per contra*, learned Public Prosecutor opposes the prayer and submits that after investigation, charge-sheet was submitted against the accused-Raju Lal, Manoj Kumar, Dinesh Bairwa, Anita Bairwa and Shanti Devi before the Court of Additional Chief Judicial Magistrate No.2, Tonk on 09.02.2021 by finding a *prima facie* case against them, where trial is proceeded against them and till date statements of 19 prosecution witnesses have been recorded, hence, interference of this Court is not warranted.

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

5. Perusal of the allegations levelled in the impugned FIR reveals commission of cognizable offence. The correctness of the allegations cannot be examined or adjudged by this Court while exercising its inherent jurisdiction under Section 482 Cr.P.C. Certainly, this task has been assigned to the Investigating Officer, who has investigated the matter and has found *prima facie* case against the petitioner and submitted charge-sheet against the petitioners. Thereafter, trial has commenced and statements of 19 witnesses have been recorded and the trial has reached its fag end.

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

7. With the aforesaid observations, the instant criminal misc. petition stands disposed of. Stay application as well as all pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J

KuD/50