

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3592/2020

Pawan Gaur S/o Shri Lalit Kishore

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Pawan Gaur-present in person
For Respondent(s)	:	Mr. Jitendra Singh Rathore-PP

JUSTICE ANOOP KUMAR DHAND

Order

02/04/2026

1. The petitioner has put in appearance in person before this Court and submits that for the same incident dated 09.08.2020, two different proceedings have been initiated against him, one by way of filing a criminal complaint under Sections 107, 151 and 116(3) Cr.P.C. before the Executive Magistrate and another by way of lodging the impugned FIR No.297/2020 registered with Police Station Bajaj Nagar, Jaipur City (East) for the offences punishable under Sections 332 and 353 of IPC.

2. He submits that initiation of two different proceedings with regard to the same incident amounts to abuse of the process of law in terms of the judgment passed by the Hon'ble Apex Court in the case of **T.T. Antony Vs. State of Kerala**, reported in **2001 (6) SCC 181**.

3. This Court deems it just and proper to call for the Investigating Officer along with case diary and factual report of the investigation conducted so far.

4. It has been apprised to this Court that on earlier occasions also the aforesaid directions were issued by the Co-ordinate Benches of this Court but on none of the occasions, the Investigating Officer has put in appearance before this Court and the orders passed by this Court have not been followed rather the same has been flouted.

5. Keeping in view the seriousness of the matter, this Court observes that in case, the Investigating Officer fails to appear before this Court on the next date of hearing, appropriate order would be passed against him.

6. Learned Public Prosecutor is directed to instruct the concerned Investigating Officer to remain present before this Court along with case diary and factual report of investigation conducted so far.

7. List this matter on 16.04.2026 at 11:00 A.M.

(ANOOP KUMAR DHAND),J