

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous (Petition) No. 1658/2017

1. Krishna Gopal @ Bhura Son of Suresh Chand, R/o Village Bhava, P.S. Chechat, District Kota Rajasthan
2. Smt. Binu Sharma D/o Satya Narain, R/o Village Khedarudwa, P.S. Chechat, District Kota Rajasthan
3. Satya Narain Son of Mohandas, R/o Village Mandhliya, P.S. Mandana, Kota Rajasthan

-----Petitioners

Versus

1. State of Rajasthan Through P.P.
2. Jai Kumar Son of Devi Shankar, R/o Village Mandhliya, P.S. Mandana, Kota Rajasthan

-----Respondents

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| For Petitioner(s) | : | Mr. Ishan Raj Khan for<br>Mr. S.S. Hasan                           |
| For Respondent(s) | : | Mr. Rajesh Choudhary, GA cum AAG<br>Mr. Jitendra Singh Rathore, PP |

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**JUSTICE ANOOP KUMAR DHAND**

**Order**

**29/04/2026**

1. By way of filing the instant petition, a challenge has been led to the impugned FIR No.256/2016, registered with the Police Station Morak, District Kota Rural, for the offences punishable under Sections 420, 406, 120B IPC.
2. Learned counsel for the petitioner submits that the instant impugned FIR has been lodged in counter-blast to the FIR No.133/2016 lodged by the petitioners against the complainant side, in fact no such incident has occurred. The petitioners have

been falsely booked in the instant case. Hence, under these circumstances, interference of this Court is warranted.

3. *Per contra* learned Public Prosecutor opposes the prayer and submits that after investigation the Investigating Officer has already submitted charge-sheet against the petitioners for the offences punishable under Sections 420, 406 and 120B IPC before the Concerned Court on 29.11.2017. Hence, under these circumstances, 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 contents of the impugned FIR and the allegations levelled therein reveals commission of a cognizable offence and the correctness of the same cannot be examined/adjudicated by this Court while exercising inherent jurisdiction contained under Section 482 Cr.P.C. Certainly, this task has been assigned to the Investigating Officer, who has already investigated the matter from all four corners and found *prima facie* case against the petitioners for the above stated offences and accordingly, charge-sheet has been submitted against them. Thereafter, the trial has already proceeded against the petitioners. Hence, under these circumstances, this Court deems it just and proper to dispose of the instant petition, while granting liberty to the petitioners to take all available defences at the appropriate stage of the trial, before the Trial Court.

6. Stay application and all pending application(s), if any, also stand disposed of.

7. A copy of the factual report dated 28.04.2026 furnished by the SHO of Police Station Morak, District Kota Rural is ordered to be retained on record.

**(ANOOP KUMAR DHAND),J**

Shivam/27