

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.3184/2018

Sunil Nandlal Lalwani S/o Shri Nandlal Lalwani, Proprietor
Gurukripa Garment, Office Shop No.2387, R/o 5472, Shashtri
Nagar, Balam, Karnataka.

-----Petitioner

Versus

1. State Of Rajasthan through Public Prosecutor.
2. Khushbu Fabrics Through Proprietor Umesh Prasad
Sharma S/o Shri Rajendra Prasad Sharma B/c Brahmin,
R/o Office Address Shop No.6, Madan Mansion, Near
Sattewalo Ki Dharamshala, Bapu Bazar, Jaipur.

-----Respondents

For Petitioner(s) : None present

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

JUSTICE ANOOP KUMAR DHAND

Order

29/04/2026

1. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned FIR No.434/2017 registered with Police Station Manak Chowk District Jaipur City (North) for the offences punishable under Sections 420, 406, 467, 468, 471 and 120B IPC.

2. It has been averred in the instant petition that a concocted story has been narrated by the complainant with an oblique motive and to create pressure upon the petitioner and to harass him, a delayed complaint has been filed with malafide intention, hence, a prayer has been made to quash the proceedings of the impugned FIR.

3. *Per contra*, learned Public Prosecutor on the basis of the factual report received from SHO, Police Station Manak Chowk,

Jaipur (North) apprised this Court that after investigation *prima facie* case was found to be proved against the petitioner. Learned counsel submits that when the petitioner was called upon by way of issuing notice for the purpose of interrogation, he has not appeared and has switched off his mobile phone, 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. The allegations levelled in the FIR reveal 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 thoroughly investigated the matter from all the four corners and found *prima facie* involvement of the petitioner in the alleged incident. The charge-sheet could not be submitted against the petitioner on account of interim order dated 31.05.2018 passed by this Court.

6. In the considered opinion of this Court, the petitioner is at liberty to take all the grounds and all available defences, which have been taken before this Court at the appropriate stage of the trial.

7. With the aforesaid observations, the instant criminal misc. petitions stand disposed of. The interim order dated 31.05.2018 passed by this Court stands vacated.

8. Stay applications as well as all pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J