

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 6314/2022

Sikndar Son Of Shri Mali Ram and Anr.

----Petitioners

Versus

State Of Rajasthan and Anr.

----Respondents

For Petitioner(s)	:	Mr. Mahendra Kumar Saini
For Respondent(s)	:	Mr. Narendra Singh Dhakar, PP with Mr. Gaurav Gupta, Asstt.GA

JUSTICE ANOOP KUMAR DHAND

Order

19/05/2026

1. A legal issue has been raised by counsel for the petitioners that an FIR cannot be lodged for the offences punishable under the provisions of Wild Life (Protection) Act, 1972 (for short, "the Act of 1972"), only a complaint can be filed by the competent authority, enshrined under Section 55 of the Act of 1972. Counsel submits that in the instant case, the impugned FIR has been lodged on the basis of a report submitted by a private person. Counsel submits that an FIR cannot be registered; rather, a complaint is required to be filed in the event of any violation of the provisions contained under the Act of 1972.

2. Heard. Matter requires consideration.

3. Issue notice to the respondent No.2, returnable by 06.07.2026.

4. In the meantime, further proceedings arising out of the impugned FIR No.298/2022 registered at Police Station Chaksu, District Jaipur City (South) shall remain stayed.

5. Looking to the issue involved in the instant petition, this Court needs assistance of the Government Advocate-cum-Additional Advocate General.

6. Let name of Mr. Rajesh Choudhary, GA-cum-AAG be reflected in the cause list.

(ANOOP KUMAR DHAND),J

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