

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



S.B. Criminal Miscellaneous (Petition) No.4399/2023

1. Smt Neelam Khinchi Wife Of Mukesh Khinchi, R/o Plot No. 203, Mandi Khatikan Char Darwaja Ke Bhar, Jaipur(Raj.)
2. Mukesh Khinchi Son Of Kaluram Khinchi, R/o Plot No. 203, Mandi Khatikan Char Darwaja Ke Bhar, Jaipur(Raj.)
3. Umesh Khinchi Son Of Kaluram Khinchi, R/o Plot No. 203, Mandi Khatikan Char Darwaja Ke Bhar, Jaipur(Raj.)

-----Petitioners

Versus

1. State Of Rajasthan, Through P.p.
2. Ladusingh S/o Shri Mansingh, Resident Of Plot No. 17, Shyokaran Vatika, Gokulpura, Kalwar Road Jhotwara, Jaipur(Raj.)

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Gaurav Gupta, Asstt.GA

JUSTICE ANOOP KUMAR DHAND
Order

08/05/2026

1. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned FIR No.930/2022 registered with the Police Station Jhotwara, District Jaipur (West) for the offences punishable under Sections 420, 467, 468, 471 and 120B IPC.
2. It has been averred in the present petition that there is a civil dispute between the parties, which has been given colour of a criminal case. In-fact, no such incident has occurred for which the impugned FIR has been registered. Hence, a prayer has been made to quash the same.

3. *Per contra*, learned Public Prosecutor as well as counsel appearing on behalf of the complainant opposed the arguments raised by counsel for the petitioners and submitted that after thorough investigation in the present matter, the Police has found *prima facie* case against them and has already submitted charge-sheet against them before the concerned Court in the year 2024. Hence, under these circumstances, 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. This Court cannot conduct fishing and roving inquiry to find out the truth behind the allegations levelled against the petitioners. Certainly, this task has been assigned to the Investigating Officer, who has investigated the matter and has found *prima facie* case against the petitioners and submitted charge-sheet against them.

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 petitioners to take 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