

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 5788/2021

Yogesh S/o Sarjeet Singh, R/o Village And Post Harsoli, Tehsil
Kotkasim, District Alwar.

-----Petitioner

Versus

1. State of Rajasthan, Through Public Prosecutor
2. Rohan Kapoor S/o Pradeep Kapoor, Aged About 28 Years,
R/o House No. 17, Gali No. 2, Jawahar Nagar Colony, Gali
No. 2, Jawahar Nagar Colony, Nit Faridabad, Police
Station Saran, District Faridabad.

-----Respondents

For Petitioner(s)	:	None
For Respondent(s)	:	Mr.N. S. Dhakar, PP

JUSTICE ANOOP KUMAR DHAND

Order

07/05/2026

1. By way of filing the instant petition, a prayer has been made to quash the impugned FIR No.04/2018, registered with the Special Police Station (SOG), District ATS & SOG for the offences punishable under Sections 419, 420, 465, 466, 467, 468, 472, 473, 477 IPC and Sections 43, 66 & 66D of Information Technology Act, 2000.
2. It is averred in the instant petition that the petitioner is not named in the impugned FIR and no role has been assigned to him. The petitioner has not committed any offence whatsoever, but a false FIR has been lodged with an ulterior motive to harass him. Hence, under these circumstances, the proceedings arising out of the impugned FIR be quashed.

3. *Per contra*, learned Public Prosecutor submits that after investigation, *prima facie* case was found to be proved against the petitioner and charge-sheet has already been submitted against him for the offences stated above before the concerned Court. 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 impugned F.I.R. and the allegations levelled therein reveals commission of a cognizable offence and correctness of the allegations cannot be examined by this Court by conducting a fishing and roving inquiry while exercising its jurisdiction contained under Section 482 Cr.P.C. Certainly, this task has been assigned to the Investigating Officer, who has already found *prima facie* involvement of the petitioner in the alleged crime and accordingly, submitted charge-sheet against him. Under these circumstances, the petitioner is not entitled to get any relief as sought for in the instant petition.

6. With the aforesaid observations, the instant petition stands disposed of, granting liberty to the petitioner to take all available defence at the appropriate stage of the trial.

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

(ANOOP KUMAR DHAND),J