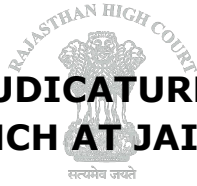


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous (Petition) No. 4754/2020

1. Mrs. Gloria Joseph W/o Michal Joseph, Aged About 64 Years, R/o 118, Shushila Kunj, Anil Shree Nagar, Civil Line, Dewas, Madhya Pradesh.
2. Issac Joseph S/o Michal Joseph, Aged About 36 Years, R/o 118, Shushila Kunj, Anil Shree Nagar, Civil Line, Dewas, Madhya Pradesh.
3. Jacob Joseph S/o Michal Joseph, Aged About 32 Years, R/o 118, Shushila Kunj, Anil Shree Nagar, Civil Line, Dewas, Madhya Pradesh.

----Petitioners

Versus

1. State Of Rajasthan, Through P.p.
2. Ankita Singh W/o Jacob Joseph, Presently R/o 14/190, Niti Nagar, Malviya Nagar, Jawahar Circlr Jaipur.

----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Jitendra Singh Rathore, PP with Ms. Neha Goyal and Mr. Anirudh Singh

JUSTICE ANOOP KUMAR DHAND

Order

29/04/2026

1. By way of filing the instant criminal misc. petition, a prayer has been made for quashing of the impugned FIR No.52/2020 registered with Police Station Mahila Thana, District Jaipur City (East) for the offences punishable under Sections 498-A and 406 IPC.
2. As per the grounds taken in the petition, the complainant has caused mental cruelty to the petitioners and she has levelled

bald allegations of cruelty against the petitioners by misusing the process of law. It has been further averred that the impugned FIR has been registered based of false and fabricated allegations. Hence, a prayer has been made to quash the proceedings arising out of the impugned FIR.

3. *Per contra*, learned Public Prosecutor opposes the prayer and submits that after thorough investigation in the instant matter, *prima facie* case was found to be proved against the petitioners. Therefore, charge-sheet has already been submitted against them for the offences punishable under Sections 498-A and 406 IPC before the Court of Metropolitan Magistrate No.9, Jaipur Metropolitan-I on 05.10.2021. 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 accordingly, submitted charge-sheet against the petitioners.

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 the grounds

and 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. The stay application as well as all pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J