

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 4781/2025

Bhawani Singh, S/o Bhiv Singh & Ors.

-----Petitioners

Versus

State of Rajasthan & Anr.

-----Respondents

For Petitioner(s)	:	Mr. Gaurav Rathore
For Respondent(s)	:	Mr. Vivek Choudhary, PP

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

09/09/2025

1. The contentions of counsel for petitioners is that petitioners are public servant and deserve an opportunity of hearing by the Judicial Magistrate in view of Section 175(4) of BNSS, 2023, but the Judicial Magistrate has passed the impugned order dated 20.05.2025, sending the criminal complaint for registration of FIR without issuing any notice to petitioners or giving any opportunity of hearing.
2. Let notice be issued to the respondent No.2-complainant of criminal miscellaneous petition as also of stay application.
3. Learned Public Prosecutor is directed to call for the progress report of investigation.

(SUDESH BANSAL),J

RONAK JAIMAN/9