

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

S.B. Criminal Miscellaneous (Petition) No. 4819/2019

1. Bhanwar Lal S/o Late Ganga Ram, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
2. Nathi Bai Widow Of Late Ganga Ram, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
3. Chhotu Lal S/o Bhanwar Lal, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
4. Pappu S/o Shri Bhanwar Lal, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
5. Brij Raj S/o Shri Bhanwar Lal, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
6. Sugna Bai W/o Shri Pappu Lal, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
7. Bhooli Bai W/o Shri Bhanwar Lal, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
8. Laxmi Narayan S/o Shri Dev Lal, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
9. Chhitar Lal S/o Shri Laxmi Narayan, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
10. Murari Lal S/o Shri Laxmi Narayan, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.
11. Chhotu Lal S/o Shri Laxmi Narayan, B/c Gadri, R/o Village Bilendi, Tehsil Chhipa Barod, Police Station Sarthal, District Baran.

-----Petitioners

Versus

1. State Of Rajasthan, through PP

2. Tej Karan S/o Sh. Phool Chand, Presently Posted As Land Record Inspector, Sarthal, Police Station Sarthal, District Baran.

-----Respondents

For Petitioner(s)	:	Mr. Anurag Sharma.
For Respondent No.2	:	Mr. Biri Singh, Sr. Advocate with Mr. Jaswant Rathore & Mr. Siyaram Sharma.
For State	:	Mr. Arvind Bhadu, PP.

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Order

02/08/2019

It is contended by counsel for the petitioners that award of Khasra No.130 was wrongly credited to the account of petitioners No.1,2 & 8. Immediately upon knowing this fact, the amount was refunded and a cheque was paid by the Land Acquisition Officer to the owner of Khasra No.130 and the owner of Khasra No.130 withdrew his complaint. It is contended that Patwari, S.H.O. and one police constable of Police Station Sarthal, District Baran were pressurising petitioner Nos.1, 2 & 8 to pay the money, on which a complaint was filed by petitioner Nos.1 & 4 against Patwari, S.H.O. and police constable before ACJM Chhipa Barod. It is contended that the same S.H.O. is now investigating the FIR lodged by Patwari and Inspector Land Record jointly.

It is also contended that the matter needs to be investigated by a senior officer and not by the person who himself is an accused in the complaint filed by the petitioner Nos.1 & 4. It is contended that petitioners had paid the amount immediately after they came to know that they have wrongly paid the amount to

the petitioners and have wrongly awarded amount for land acquisition and Khasra No.130.

Superintendent of Police is directed to enquire the matter and submit report as to whether amount of Rs.40,52,258/- was refunded by the petitioners and thereafter the amount was paid by cheque to the original owners of Khasra No.130 i.e. Ramratan and Satya Narain.

Superintendent of Police is directed to submit his report before 29.08.2019.

List on 29.08.2019 in the regular category.

In the meantime, no coercive action shall be taken against the petitioners till next date.

(PANKAJ BHANDARI),J

CHANDAN /41

