

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

S.B. Criminal Miscellaneous (Petition) No. 6589/2021

Smt. Suman Sharma W/o Shri Raju Alias Rajesh Sharma,

-----Petitioner

Versus

State Of Rajasthan and Ors.

-----Respondents

For Petitioner(s) : Ms. Madhumita Das

For Respondent(s) : Mr. Arvind Kumar, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

07/01/2022

By way of the instant miscellaneous petition, challenge has been made to the very lodging of the FIR No. 497/2021 registered at Police Station Bassi, Jaipur city (East) for the offence under Sections 420, 406, 467, 468, 471, 171-G, 177, 181, 193, 199 & 200 IPC.

Learned counsel for the petitioner submits that even from the bare perusal of the allegations leveled in the FIR, no offence under Sections 420, 406, 467, 468 & 471 IPC can be invoked. Yet on a wrong basis, the investigating agency is hell bent to nab and chargesheeted the petitioner, who is an elected representative of Gram Panchayat Banskho, Tehsil Bassi. Learned counsel further submits that the ingredients essential to constitute offence under Sections mentioned above of IPC are conspicuously missing in the FIR impugned and for the rest of the offence which could be invoked, is a non-cognizable offence and for which an FIR under Section 154 of Cr.P.C. cannot be registered.

Heard.

Issue notice.

Thus, notice be issued only to the respondent No. 3.

(FARJAND ALI),J

RAJASTHAN HIGH COURT



सत्यमेव जयते