

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 7121/2021

Arun Chugh S/o Sh. Shyam Lal Chugh, Aged About 52 Years, R/o
3494, Banjarwada, Rewari, Haryana.

-----Petitioner

Versus

1. State of Rajasthan, Through The P.P.
2. Victim

-----Respondents/Complainant

For Petitioner(s)	:	Mr. Ved Pal Shastri
For Respondent(s)	:	Mr. Rajesh Choudhary, G.A cum AAG with Mr. Gaurav Gupta, Ass. G.A & Mr. Anirudh Singh

JUSTICE ANOOP KUMAR DHAND

Order

07/05/2026

1. The instant misc. petition is listed before this Court in pursuance of the directions issued by the Hon'ble Apex Court in the case of **Vijay Kumar and Ors. Vs. State of Rajasthan** (Petition for Special Leave to Appeal (Crl.) No. 773/2026, decided on 15.01.2026), wherein the Hon'ble Apex Court observed that in various matters, interim orders have been passed in criminal revision petitions and petitions filed under Section 482 Cr.P.C., as a result of which trial relating to serious offences such as murder, rape, dacoity, dowry death, etc., could not proceed and remained stalled/held up due to the passage of considerable time.
2. Directions have been issued to this Court and other High Courts to take up such like matters which are pending since long,

on priority and decide the same expeditiously without deferring the hearings to subsequent dates.

3. By way of filing the instant misc. petition, a prayer has been made to quash the impugned FIR No. 398/2021, registered with the Police Station Ramganj, District Ajmer for the offences punishable under Sections 376 & 376 (2)(n) IPC, on the basis of the compromise arrived at between the parties.

4. Learned counsel for the petitioner submits that a false FIR with fabricated allegations has been lodged by the prosecutrix against the petitioner, wherein allegations of rape and forceful sexual assault have been leveled on 08.10.2021, but subsequently, the prosecutrix submitted an application before the SHO Police Station, Rewari that she does not want any proceedings against the petitioner and no such alleged offence has been committed with her. Counsel submits that under the changed circumstances, interference of this Court is warranted and the proceedings arising out of the impugned FIR may be quashed.

5. *Per contra*, learned Public Prosecutor oppose the prayer and submits that after thorough investigation in the present matter, the prima facie case was found to be proved against the petitioner that is why, charge-sheet has already been submitted against him before the concerned Court on 26.08.2022 and the trial is going on before the Court of Special Judge, Women Atrocities Cases, Ajmer hence, interference of this court is not warranted.

6. Heard and considered the submissions made at the Bar and perused the material available on record.

7. Perusal of the contents of the impugned FIR and the allegations levelled therein reveal commission of a cognizable

offence and the correctness of the allegations cannot be examined by this Court in exercise of inherent power contained under Section 482 Cr.P.C. This Court is not supposed to make a fishing and roving inquiry to look into the correctness of the allegations levelled against the petitioner. Certainly this task has been assigned to the Investigating Officer, who has already found the prima facie case against the petitioner and has submitted the charge-sheet against him before the concerned Court.

8. In case, the prosecutrix does not want to prosecute the petitioner, her statements regarding the same to be recorded before the Trial Court, where the petitioner is facing the trial.

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

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

(ANOOP KUMAR DHAND),J