

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Writ Petition No. 1149/2025

Ravi Meena S/o Shri Phool Singh Meena

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Harsh Joshi
For Respondent(s)	:	None present
For State	:	Mr. Devi Singh, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

28/01/2026

None appeared on behalf of the respondents no.2 and 3.

Service of respondents no.2 and 3 is complete.

Learned counsel for the petitioner submits that in the present matter, the prosecution sanction was granted on 28.12.2020. A bare perusal of the aforesaid sanction order reveals that it is a verbatim repetition of the draft prosecution as furnished by the ACB to the District Collector, Jaipur. The prosecution sanction does not indicate any grounds or reasonings on the basis of which it can be concluded that the sanctioning authority has applied his mind before granting the prosecution sanction. He again submits that as per the judgment of Hon'ble Supreme Court in the case of **Central Bureau of Investigation Vs. Ashok Kumar Aggarwal** reported in **(2014) 14 SCC 295**, makes it mandatory that the prosecution must send the entire relevant record to the sanctioning authority including the FIR, disclosure statements, statements of witnesses, recovery memos,

draft charge-sheet and all other relevant material. However, the letter of the ACB dated 04.12.2020 reflects that the ACB did not furnish the aforesaid relevant records including the FIR, disclosure statements, statements of witnesses, recovery memos, draft charge-sheet, and other material to the District Collector, Jaipur for the purpose of obtaining the prosecution sanction.

Learned Public Prosecutor wants time to file reply.

List this case after two weeks.

Till then, operation & effect of prosecution sanction order dated 28.12.2020 passed by District Collector, Jaipur Shall remain stayed.

(PRAMIL KUMAR MATHUR),J