

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 7311/2021

Bhero Singh Son Of Shri Soorsingh, Resident Of Rac Battalion,
Galta Gate, Jaipur City North (Raj).

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Victim X

-----Respondents

For Petitioner(s)	:	Mr. Jitendra Singh Shekhawat with Mr. Ashnir Gori
For Respondent(s)	:	Mr. Gaurav Gupta, Asstt.GA Mr. K.N. Sharam with Mr. Pankaj Choudhary Mr. Vipin and Mr. N.S. Gurjar

JUSTICE ANOOP KUMAR DHAND

Order

08/05/2026

1. By way of filing the instant criminal misc. petition, a prayer has been led to quash the impugned FIR No.343/2021, registered with Police Station Galta Gate, District Jaipur City (North), for the offences punishable under Sections 354-D and 509 IPC.
2. Learned counsel for the petitioner submits that for the alleged incident pertaining to year 2020, a delayed report after a lapse of one year has been submitted based on false and fabricated allegation. Counsel submits that the complainant was engaged with the petitioner, but at a later point of time, their engagement was called off, thereafter the petitioner was engaged with some other girl. Counsel further submits that the complainant contacted him thorough Video Call and subsequently, the instant

false case has been lodged against the petitioner alleging that the petitioner abused and assaulted her. Counsel submits that the instant FIR has been lodged with ulterior motive to harass the petitioner. Hence, interference of this Court warranted.

3. *Per contra*, learned Public Prosecutor as well as counsel appearing on behalf of the complainant oppose the prayer and submit that after thorough investigation in the instant matter, charge-sheet has already been submitted against the petitioner by finding a *prima facie* case against him. Hence, interference of this Court is not warranted and the instant petition is liable to be rejected.

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

5. Perusal of the allegations levelled in the impugned FIR reveals commission of cognizable offence. The correctness of the allegations cannot be examined or adjudged by this Court while exercising its inherent jurisdiction under Section 482 Cr.P.C. This Court cannot conduct fishing and roving inquiry to find out the truth behind the allegations levelled against the petitioner. Certainly, this task has been assigned to the Investigating Officer, who has investigated the matter and has found *prima facie* case against the petitioner and accordingly, submitted charge-sheet against the petitioners.

6. Considering the above facts and circumstances of the case, this Court deems it just and proper to dispose of the instant misc. petition granting liberty to the petitioner to take all the grounds and all available defences which have been taken before this Court, at the appropriate stage of the trial before the Trial Court.

7. With the aforesaid observations, the instant criminal misc. petition stands disposed of. Stay application as well as all pending applications, if any, stand disposed of.

(ANOOP KUMAR DHAND),J

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