

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



S.B. Criminal Miscellaneous (Petition) No. 5522/2025

1. Kanchan Srivastava Wife Of Shri Vinod Srivastava, Aged About 65 Years, Resident Of House No 13/765, Malviya Nagar, P.s. Jawahar Circle, Jaipur City East, Rajasthan, Jaipur.
2. Vinod Kumar Srivastava Son Of Late Sh. Gyan Prakash Srivastava, Aged About 65 Years, R/o P.no. 13/765, Malviya Nagar, P.s. Jawahar Circle, Jaipur City (East), Rajasthan, Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through The Public Prosecutor.
2. Sunil Kumar Son Of Surajnarain Dubey, Aged About 57 Years, Resident Of 13/765, Malviya Nagar, Jawahr Circle, Jaipur City (East), Rajasthan, Jaipur.

----Respondents

For Petitioner(s)	:	Mr.Ajay Singh Mr.Ankur Saxena
For Respondent(s)	:	Mr.Amit Punia, PP

JUSTICE ANOOP KUMAR DHAND

Order

13/11/2025

1. By way of filing this petition, a prayer has been made for quashing of the F.I.R. No.511/2018 registered with Police Station Jawahar Circle, District Jaipur City (East) under Sections 447, 420, 406, 467, 468, 471 & 384 IPC.
2. Learned counsel for the petitioners submits that initially the matter was thoroughly investigated from all the four corners and no offence was found to be proved against the petitioners, hence, the Police has proposed final report 'Negative'. Counsel submits

that subsequently, an order was passed for further investigation, and for getting the report of Forensic Science Laboratory (for short, "the FSL") on the disputed documents. Counsel submits that there is no opinion of FSL stating that the signatures on the documents are forged. Counsel submits that as per the opinion of the FSL, the thumb impression was not matching and on that count alone, the Police is bent upon to apprehend the petitioners and submit charge-sheet against them. Counsel submits that the petitioners are senior citizens and they have not committed any offence whatsoever, hence, under these circumstances, interference of this Court is warranted.

3. *Per contra*, learned Public Prosecutor opposed the arguments raised by counsel for the petitioner and submits that the allegations levelled in the FIR reveal commission of a cognizable offence by the petitioners, which is required to be investigated by the Investigating Officer, hence interference of this Court is not warranted.

4. Having regard to the facts and circumstances of the case, this Court is not going to adjudge the correctness and genuineness of the allegations levelled against the petitioners at this stage while exercising its inherent jurisdiction contained under Section 528 of the BNSS. Certainly, it is job of the Investigating Officer which is required to be undertaken by him during the course of investigation.

5. However, the petitioner would be at liberty to move appropriate representation before the Investigating Officer, who shall examine the same strictly in accordance with law.

6. In case, the Investigating Officer comes to a conclusion that any cognizable offence is made out against the petitioners, he shall issue notice under Section 35 of the BNSS to the petitioners.

7. With the aforesaid observations/directions, the instant criminal misc. petition stands disposed of. The stay application and all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J