

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 5869/2019

1. Nitesh S/o Shri Ramjilal, Aged About 25 Years, R/o 34, Mahadev Colony, Near Sawaimadhapur Bridge, Sanganer, Jaipur, Raj.
2. Rajesh S/o Shri Ramjilal, Aged About 18 Years, R/o 34, Mahadev Colony, Near Sawaimadhapur Bridge, Sanganer, Jaipur, Raj.
3. Ramjilal S/o Late Shri Prahlad Rai Swami, Aged About 47 Years, R/o 34, Mahadev Colony, Near Sawaimadhapur Bridge, Sanganer, Jaipur, Raj.
4. Girdhari S/o Late Shri Satyanarayan Swami, Aged About 32 Years, R/o Badri Ka Baas Ki Dhani, Vatika, Sanganer, Raj.

-----Petitioners

Versus

1. State of Rajasthan, Through PP.
2. Hanuman S/o Shri Sitaram, 13, Sachivalaya Vihar Extension, Muhana, Jaipur City (South), Raj.

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Jitendra Singh Rathore, PP

JUSTICE ANOOP KUMAR DHAND

Order

20/04/2026

1. By way of filing the instant petition a challenge has been led to the impugned FIR No.1390/2019 registered with the Police Station Sanganer, Jaipur City (East) for the offences punishable under Sections 342, 323, 143, 365 & 379 IPC.
2. It has been averred in the instant petition that there is no iota of evidence available on record against the petitioner for

which registration of the aforesaid impugned FIR has been made and the same has been lodged with an ulterior motive and falsely implicated the petitioner in the aforesaid fabricated case, hence, under these circumstance interference of this Court is warranted.

3. *Per contra* learned Public Prosecutor oppose the prayer and submits that after thorough investigation in the instant matter charge-sheet has already been submitted against the petitioner for the offences under Sections 365, 323, 341, 379 read with Section 34 IPC before the Concerned Court on 11.11.2019 by finding a prima facie case against them, hence, under these circumstances interference of this Court is not warranted and the instant petition is liable to be rejected.

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

5. Perusal of the contents of the impugned FIR and the allegations levelled therein reveals commission of a cognizable offence and the correctness of the same cannot be examined/adjudicated by this Court while exercising its inherent jurisdiction contained under Section 482 Cr.P.C. Certainly, this task has been assigned to the Investigating Officer who has already investigated the matter from all four corners and found prima facie case against the petitioner for the above stated offences way back in the year 2019 and the trial has already been proceeded against the petitioner. Hence, under these circumstances, this Court deems it just and proper to dispose of the instant petition, while granting liberty to the petitioner to take all available defence at the appropriate stage of the trial.

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

7. The factual report dated 08.08.2023 furnished by the SHO, Police Station Sanganer, District Jaipur East is ordered to be retained on record.

(ANOOP KUMAR DHAND),J

Shivam/20