

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 6504/2025

Ajay Chaudhary , Son Of Dhoom Singh,

-----Petitioner

Versus

The State Of Rajasthan,

-----Respondent

For Petitioner(s) : Mr. Rajesh Maharshi
Mr. Nitish Joshi

For Respondent(s) : Mr. Jitendra Singh Rathore, AGA

HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

16/10/2025

This criminal misc. petition has been filed under Section 528 of BNSS, 2023 for quashing FIR No. 298/2015 registered at P.S. Anti Corruption Bureau, Alwar and Principal Akarshi Kendra, ACB, Jaipur for the offences under Section 13(1)(d), 13(2) of Prevention of Corruption Act, 1988 and Sections 420 and 120-B of IPC along with all subsequent criminal proceedings.

Issue notice to the respondents.

Learned Additional Govt. Advocate accepts notice on behalf of respondent Nos. 1 and 3.

Let notice be issued to respondent No.2, returnable within a period of three weeks.

Learned counsel for the petitioners submits that neither there was any deception, fraudulent inducement or damage nor there was any criminal conspiracy by the petitioners. He further submits that no notice was ever issued to the petitioners by the Collector or by the Sub-Divisional Officer for recovery of the

alleged deficiency in stamp duty, as required under Section 55 of Rajasthan Stamps Act, 1998 (for short' the Act of 1998'). He further submits that the Act of 1998 itself provides a comprehensive mechanism for determining stamp duty liability and enforcement through Sections 55, 73 and 75 of the Act of 1998. He further submits that alleged offence took place in the year 2008, for which FIR was registered in the year 2015 and after an inordinate delay notices were issued in the year 2025. The impugned FIR does not prima facie establish the involvement of the petitioners in the alleged offence.

Learned Additional Govt. Advocate has opposed the same.

Taking into consideration the contentions of the counsel for the petitioners, let investigation in the impugned FIR No. 298/2015 be continued, however, no coercive steps be taken against the petitioners subject to extending co-operation with the investigating agency.

(BHUWAN GOYAL),J