



HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 6536/2025

Shambhu Dayal Mangal Son Of Shri Kadar Prasad, Aged About 65 Years, Resident Of 183, Sitaram Colony 1, Near Bank Of Baroda, Tonk Road, Sanganer, Jaipur City (East), Rajasthan At Present Resident Of 306, Shiv Shakti Nagar, Beelwa, Tonk Road, Shivdaspora, Jaipur City (South), Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. S.h.o. Police Station Shivdaspora, District Jaipur City (South).
3. The Commissioner Of Police, Jaipur Metropolitan.

-----Respondents

For Petitioner(s)	:	Mr. Ashvin Garg with Mr. Ripu Daman Singh Shekhawat
For Respondent(s)	:	Mr. M.S. Shekhawat, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

16/03/2026

1. The instant miscellaneous petition has been filed by the petitioner seeking direction for conducting fair investigation of the FIR No.690/2025 registered at the P.S. Shivdaspora, District Jaipur City (South) for the offences punishable under Sections 318(4), 338, 336(3), 336(4), 340(2) & 308(2) of the BNS, 2023.
2. The petitioner submitted an F.I.R. against certain persons for the aforesaid offences but according to the petitioner, police authorities have not taken any action against the accused person.
3. This Court is of the opinion that in view of the observations made and directions issued by the Hon'ble Supreme Court in the case of **Sakiri Vasu Vs. State of U.P., AIR 2008 SC 907**, no



person can be encouraged to directly approach this Court for seeking direction of fair investigation and if he/she is aggrieved of any lack of action by the police as regards the FIR which has been filed by him/her, the appropriate course of action for the aggrieved person is to approach the Magistrate having jurisdiction, who can call for the report from the Investigating Officer and also instruct the Investigating Officer to investigate the matter fairly. If the petitioner is aggrieved by any inaction of the police, then he/she should move to the appropriate Court in accordance with the directions issued by the Hon'ble Supreme Court in the aforesaid judgment. Thereafter, the trial court shall call for the report from the I.O. and issue appropriate direction in consonance with the view expressed by the Hon'ble Supreme Court.

4. Resultantly, the miscellaneous petition being bereft of any force, is dismissed.

(ANIL KUMAR UPMAN),J