

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 6831/2025

Manisha Naina W/o Raju, Aged About 35 Years, R/o Uncha Majra
Patodi Dist. Gurgaon, Haryana.

----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Deepak Yadav S/o Krishan Yadav, Aged About 31 Years,
R/o Jahidpur, Police Station Kosali, District Rewari,
Haryana.

----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 6362/2025

Pintu Kumar Son Of Kailash Chand Meena, Aged About 27 Years,
Resident Of Village Naithla, Post Nithari, Police Station
Malakheda, District Alwar (Rajasthan).

----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Deepak Yadav Son Of Shri Krishan Yadav, Resident Of
Jahidpur, Police Station Kosali, District Haryana, At
Present Posted As Spervisor, Public Complaint, Alwar
Region, Post Office, Alwar (Rajasthan).

----Respondents

For Petitioner(s)	:	Mr. Ajay Khedar Mr. Gourav Pareek Ms. Swati Sharma
For Respondent(s)	:	Mr. Amit Gupta-PP

JUSTICE ANOOP KUMAR DHAND

Order

10/11/2025

1. In both criminal misc. petitions, the impugned FIR No. 52/2024 registered at Police Station Arawali Vihar, District Alwar has been assailed.
2. Counsel appearing on behalf of the petitioner, Manisha Naina, submits that the petitioner is having a valid Class X marksheet, which was handed over to one Sunil. Counsel further submits that if Sunil has prepared any concocted marksheet and furnished the same for the purpose of participating in the recruitment process, the petitioner cannot be blamed for such act. Counsel appearing on behalf of the petitioner- Pintu, submits that if at all the Board was not having any identification from where the petitioner has undertaken his studies, the petitioner cannot be blamed for the certificate/marksheet issued by such Board. Hence, under these circumstances, the petitioners have not committed any offence and the impugned FIR is liable to be quashed and set aside.
3. Per contra, learned Public Prosecutor opposed the prayer and submitted that the allegation levelled in the FIR reveal commission of cognizable offence and the same is required to be investigated by the investigation agency, hence interference of this Court is not warranted.
4. Heard and consideration the submissions made at Bar and perused the material available on record.
5. It is the settled proposition of law that if the allegations mentioned in the FIR reveal the commission of cognizable offence then correctness of the allegations cannot be adjudicated by this Court under its inherent jurisdiction contained under Section 528 BNSS, 2023. However, the petitioners are at liberty to file a representation along with relevant documents in support of their

contentions before the Investigating Officer, who shall consider the same in accordance with law and in case, the Investigating Officer comes to a conclusion that cognizable offence is made out against the petitioners, then before arresting the petitioners, he shall issue notice under Section 35(3) to the petitioners.

6. With the aforesaid observations, both criminal misc. petitions stand disposed of. Stay applications as well as all applications (pending, if any) also stand disposed of.

(ANOOP KUMAR DHAND),J