

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.7175/2025

1. Maliram S/o Begaram, Aged About 59 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)
2. Jethuram S/o Begaram, Aged About 75 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)
3. Pannaram S/o Begaram, Aged About 70 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)
4. Bhawari Devi W/o Maliram, Aged About 50 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)
5. Birdi Devi W/o Jethuram, Aged About 67 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)
6. Koyli Devi W/o Pannaram, Aged About 60 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)

-----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Govind Yadav S/o Gullaram, Aged About 51 Years, R/o Ahir Ka Baas, Teh. Dantaramgarh, District Sikar (Raj.)

-----Respondents

For Petitioner(s)	:	Mr. Dharmendra Fageria
For Respondent(s)	:	Mr Amit Kumar Gupta, PP

JUSTICE ANOOP KUMAR DHAND

Order

10/11/2025

1. By way of filing this criminal misc. petition, a prayer has been made for quashing of the impugned FIR No.91/2024 registered with Police Station Dantaramgarh, District Sikar for the offences punishable under Sections 147, 148, 149, 323 & 341 of IPC.

2. Learned counsel for the petitioners submits that in fact on the fateful day, i.e., 17.03.2024, the complainant party assaulted the petitioner No.1- Maliram at his residence by using *lathi*. Learned counsel submits that the entire incident has been captured in a CCTV camera footage for which an FIR No.90/2024 was registered against the complainants at Police Station Dantaramgarh, District Sikar for the offences under Sections 147, 148, 149, 452, 323 & 341 IPC. Learned counsel submits that in counter-blast to the aforesaid FIR, the impugned false FIR with vague allegations has been registered. Learned counsel submits that Police is not taking any action against the complainants in FIR No.90/2024 while at the same time, the Police is bent upon to apprehend the petitioners and have submitted the charge-sheet against them, hence, under these circumstances, interference of this Court is warranted.

3. *Per contra*, learned Public Prosecutor opposes the prayer and submits that allegations made in the impugned FIR reveals the commission of a cognizable offence, which is required to be investigated by the Investigating Officer. Learned counsel further submits that in the impugned FIR, the incident has been found to have occurred on 17.03.2024 and the Police is taking action in both FIRs. Learned counsel submits that one injured Panna Ram has sustained four fractures for which offence under Section 308 IPC has been added, hence, interference of this Court is not warranted.

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

5. Having regard to the facts and circumstances of the case, this Court is of the view that allegations made in the FIR reveal the commission of a cognizable offence, which is required to be investigated by the Investigating Officer. This Court, at this stage, cannot adjudge the correctness of the allegations. Certainly it is a task assigned to the Investigating Officer. Hence, under these circumstances, this Court is not inclined to exercise its inherent jurisdiction contained under Section 528 BNSS, 2023.

6. With the aforesaid observations, the instant criminal misc. petition stands dismissed. Stay application as well as all applications (pending, if any) stand disposed of.

(ANOOP KUMAR DHAND),J