

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 7731/2019

1. Smt. Sampati Devi W/o Aazad Kanjar, R/o Entunada, Hanuman Nagar, District Bhilwara, Raj.
2. Smt. Mohara Devi W/o Jagdish Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj. (Above Accused Behind The Bar At Women Reform Home, Ajmer).
3. Laxman S/o Dhariya Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj.
4. Phool Chand @ Phoolsingh @ Pholiya S/o Dhariya Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj.
5. Gulab @ Gulabchand S/o Dhariya Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj.
6. Roop Singh S/o Dhariya Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj.
7. Sant Kumar S/o Dhariya Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj.
8. Aazad S/o Sosiya Kanjar, R/o Entunada, Hanuman Nagar, District Bhilwara, Raj.
9. Harish S/o Laxman S/o Dhariya Kanjar, R/o Kanjar Colony, Pandyar, District Bhilwara, Raj. (Above All Accused Behind The Bar At Central Jail, Ajmer)

-----Accused-

Versus

State Of Rajasthan, Through PP.

-----Respondent

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Gaurav Gupta, Asstt.GA with Ms. Neha Goyal

JUSTICE ANOOP KUMAR DHAND

Order

06/05/2026

1. The instant misc. petition is listed before this Court in pursuance of the directions issued by the Hon'ble Apex Court in the case of Vijay Kumar and Ors. Vs. State of Rajasthan (Petition for Special Leave to Appeal (Crl.) No. 773/2026, decided on 15.01.2026), wherein the Hon'ble Apex Court observed that in various matters, interim orders have been passed in criminal revision petitions and petitions filed under Section 482 Cr.P.C., as a result of which trial relating to serious offences such as murder, rape, dacoity, dowry death, etc., could not proceed and remained stalled/held up due to the passage of considerable time.
2. Directions have been issued to this Court and other High Courts to take up such like matters which are pending since long, on priority and decide the same expeditiously without deferring the hearings to subsequent dates.
3. By way of filing the instant criminal misc. petition, a prayer has been made to quash the impugned FIR No.99/2019 registered with the Police Station Sawar, District Ajmer for the offences punishable under Sections 363, 366, 376, 376D, 376(2)(n), 372, 373 and 315 IPC.
4. It has been averred in the present petition that the allegations levelled against the petitioners are false and baseless and the impugned FIR has been registered by the informant on the basis of the information received through Zee News, thereafter, the police started investigation and found that in-fact no such incident has occurred and the petitioners have been falsely booked in the instant case, hence a prayer has been made to quash the impugned FIR and the subsequent proceedings arising out of the same.

5. *Per contra*, learned Asstt. Govt. Advocate opposes the prayer and submits that after thorough investigation in the instant matter from all the four corners, *prima facie* case was found to be proved against the petitioner during the course of investigation, and that is why the charge-sheet has been submitted against the petitioners for the above stated offences before the Court of Special Judge, POCSO Cases No.1, Ajmer on 27.11.2019. Hence, interference of this Court is not warranted.

6. Heard and perused the material available on record.

7. Perusal of the allegations levelled in the impugned FIR reveals commission of cognizable offence. The correctness of the allegations cannot be examined or adjudged by this Court while exercising its inherent jurisdiction under Section 482 Cr.P.C. This Court cannot conduct fishing and roving inquiry to find out the truth behind the allegations levelled against the petitioner. Certainly, this task has been assigned to the Investigating Officer, who has investigated the matter and has found *prima facie* involvement of the petitioner, that is why charge-sheet has been submitted against the petitioners way back in the month of November, 2019 and more than six years have passed thereafter. The trial must have reached to its final end. Hence, this Court is not inclined to entertain the instant petition and the same is liable to be dismissed.

8. Accordingly, the instant criminal misc. petition stands dismissed. The stay application and all pending applications, if any, also stand rejected.

9. However, the petitioners would be at liberty to take all available defence which have been taken before this Court, at the

appropriate stage of the trial before the Trial Court, in case the trial is still lying pending against them.

(ANOOP KUMAR DHAND),J

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