

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.8587/2024

Dinesh Kumar Saini Son Of Shri Budharam Saini, Aged About 30 Years, R/o Kakuniya Ki Dhani Bainar Road, Boyatawala, Jhotwara, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Learned Public Prosecutor.
2. Indar Singh Son Of Shri Richpal Singh, Aged About 56 Years, R/o 83, Shiv Shakti Vihar Banad Road, Kardhani Road, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Karan Singh
For Respondent(s)	:	Mr. N.S. Dhakar, PP Mr. Upendra Singh Rathore

JUSTICE ANOOP KUMAR DHAND

Order

06/05/2026

1. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned FIR No.244/2024 registered with Police Station Kardhani, Jaipur (West) for the offences punishable under Sections 420 and 406 IPC.
2. Learned counsel for the petitioner submits that a false and fabricated FIR has been lodged against the petitioner, who is innocent and has not committed any offence whatsoever and the petitioner has been falsely booked in the instant case with an ulterior motive, hence, interference of this Court is warranted.
3. *Per contra*, learned Public Prosecutor as well as learned counsel appearing for the complainant opposed the prayer and submitted that after investigation in the instant matter, a *prima facie* case has been found to be proved against the petitioner and

he has been absconding, hence, interference of this Court is not warranted.

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

5. Perusal of the allegations levelled in the impugned FIR reveals commission of cognizable offence. The correctness of the allegations cannot be examined by this Court while exercising inherent powers contained under Section 482 Cr.P.C. This Court cannot conduct roving and fishing enquiry to find out the truth behind the allegations levelled against the petitioners. Certainly, this task has been assigned to the Investigating Officer.

6. Considering the over all facts and circumstances of the case, this Court deems it just and proper to dispose of the instant petition, granting liberty to the petitioners to file an appropriate representation. It is expected from the Investigating Officer to consider the same and submit the conclusion report of investigation under Section 173 Cr.P.C. before the Competent Court strictly in accordance with law.

7. This order has its effect only if the investigation is still lying pending and in case, charge-sheet has already been submitted against the petitioners then they would be at liberty to take all these grounds and the defence before the Trial Court at the appropriate stage of trial.

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

(ANOOP KUMAR DHAND),J