

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 8191/2025

1. Jitendra Kumar Sharma S/o Late Sh. Radha Kishan Sharma, Resident Of- 326, Barkat Nagar Jaipur, Bajaj Nagar, Jaipur City (East), Rajasthan.
2. Dhirendra Kumar Sharma S/o Late Sh. Radha Kishan Sharma, Resident Of- 326, Barkat Nagar Jaipur, Bajaj Nagar, Jaipur City (East), Rajasthan.
3. Suman Sharma W/o Late Sh. Kamal Kant Sharma, Resident Of- 326, Barkat Nagar Jaipur, Bajaj Nagar, Jaipur City (East), Rajasthan.
4. Manas Sharma S/o Late Sh. Kamal Kant Sharma, Resident Of- 326, Barkat Nagar Jaipur, Bajaj Nagar, Jaipur City (East), Rajasthan.
5. Yashi Sharma D/o Late Sh. Keshav Sharma, Resident Of- 326, Barkat Nagar Jaipur, Bajaj Nagar, Jaipur City (East), Rajasthan.
6. Mamta Sharma W/o Sh. Dhirendra Sharma, Resident Of- 326, Barkat Nagar Jaipur, Bajaj Nagar, Jaipur City (East), Rajasthan.

-----Petitioners

Versus

1. The State Of Rajasthan, Through The Public Prosecutor
2. Sant Ram Sharma, S/o Sh. Prahlad Chand Sharma, R/o Village Muhana, Tehsil Sanganer, Muhana, Jaipur City (South), Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Rahul Kashyap through VC
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, P.P.

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

02/05/2026

- 1.** The present criminal miscellaneous petition has been filed by the petitioners seeking quashing of the FIR No.0417/2025 dated 07.10.2025 registered at Police Station - Bajaj Nagar, Jaipur City (East), for offences punishable under Sections 318(4), 316(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.
- 2.** Learned counsel for the petitioners submits that the impugned FIR, even if taken on the face of it, is false and concocted, and is nothing but an abuse of the process of law.
- 3.** He submits that the complainant-respondent No.2 is trying to give a criminal colour to a civil dispute which in fact does not exist as the agreement on the basis of which the complainant-respondent No.2 is relying upon is not maintainable in the eyes of law.
- 4.** Learned counsel further submits that the entire controversy pertains to the alleged recovery of the amount which was paid by the complainant-respondent No.2 on behalf of the petitioners to the DCB Bank for a loan taken by them from the said Bank, with the assurance that the said amount would be refunded to the complainant-respondent No.2, however, for one reason or the other, the petitioners are avoiding payment of the same.
- 5.** Learned counsel further submits that the complainant-respondent No.2 is bent upon to take illegal possession of the residential house of the petitioners, which is a joint family property and the agreement itself has also not been signed by some of the petitioners.

- 6.** Learned Public Prosecutor has placed on record the factual report submitted by the Investigating Officer.
- 7.** Taking note of the aforesaid facts, issue notice to the respondent No.2 – complainant, returnable within four weeks.
- 8.** List the matter on 22.07.2026.
- 9.** In the meanwhile, it is directed that the petitioners shall not be arrested and they shall duly co-operate with the ongoing investigation.

(ANUROOP SINGHI),J