HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3078/2014

CNR: RJHC020026172014 | URN: CRLMP / 4773U / 2014

1. Smt Vinay Gupta Wife of Shri Lal Chand Gupta, aged 61 years,
2. Shri Lal Chand Gupta S/o Laxman Das Gupta, aged 62 years,
3. Shri Aaditya Gupta, S/o Shri Lal Chand Gupta, aged 61 years,
All resident of 3, Lakhanpuri, bypass Tonk Road, Jaipur (Rajasthan).

----Accused/Petitioners

Versus

1. The State of Rajasthan through the Public Prosecutor

--- -Non-Petitioner

2. Ramswaroop Gurjar Son of Shri Chanda Ram Gurjar, resident of Dhani Khaliya Bad ki, Near Railway Line, Police Station & Tehsil Sanganer, District Jaipur (Rajasthan).

-Non-Petitioner/Complainant

For Petitioner(s)	:	Mr. Vinay Patni & Ms. Shreya Dangayach
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP Mr. Onkar Singh Rajpurohit, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

13/08/2026

1. Instant Misc. Petition is filed on behalf of the petitioners—Smt. Vinay Gupta, Sh. Lal Chand Gupta and Sh. Aaditya Gupta for quashing of FIR No. 240/2014 registered at Police Station Sanganer Sadar, Jaipur, on 27.06.2014.

2. Learned Public Prosecutor has submitted a report received from Police Station Sanganer Sadar, which indicate that, after concluding the investigation, the police has filed a charge-sheet

under Sections 420, 406 and 120-B of IPC against three persons on 08.06.2016.

3. The contention of learned counsel for the petitioner is that the parties have entered into a compromise and, pursuant to the compromise, a sale deed has already been registered, but the complainant is not presenting himself before the Trial Court for attestation of the compromise.

4. Heard learned counsels for the parties and learned Public Prosecutor. Perused the material placed on record.

5. After filing of the charge-sheet on 08.06.2016, the learned Metropolitan Magistrate No. 26, Jaipur, HQ Sanganer, has taken cognizance against the petitioners and on 04.12.2019 the Trial Court has framed charges against these petitioners. Since then, the Trial Court is summoning the complainant, and he is not attending the Court pursuant to the summon or bail warrant issued against him.

6. The material submitted by learned counsel for the petitioner indicate that, till date, 3 witnesses were examined, and the last witness was examined on 11.09.2023. Currently, the matter is pending before ACMM No. 17, Sanganer, Jaipur Metro-I.

7. Considering the aforesaid, we are not inclined to interfere under Section 482 of Cr.P.C., but it is appropriate to close the proceedings with a direction to the Trial Court to ensure that the complainant—Ram Swaroop be called and his statement be recorded at the earliest. All coercive methods as available under the law may be adopted to ensure his presence.

8. In view of aforesaid, the misc. petition filed under Section 482 of Cr.P.C. is hereby disposed of without interference in any of the proceedings arising out of FIR No. 240/2014, but the Trial Court is directed to ensure recording of the statement of the complainant within a period of 2 months from the date of receipt of a copy of this order.

9. All pending application(s), if any, also stand disposed of.

(ASHOK KUMAR JAIN),J

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