HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 2917/2016

Kishan Singh S/o Shri Dhan Singh Rajput, aged 50 years R/o Village Junaguda, P.S. Khamnor, District Rajsamand (Raj)

----Petitioner

Versus

1. Laluram S/o Sh. Ghasi Balai, R/o Village Kesuli, P.S. Khamnor, District Rajsamand (Raj.)
2. Logar S/o Sh. Talok Balai, R/o Village Kesuli, P.S. Khamnor, District Rajsamand (Raj.)
3. The State of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Anuj Sahlot, through VC
For Respondent(s)	:	Mr. Farzand Ali, G.A-cum-A.A.G., with Mr. Anda Ram Choudhary, P.P.

HON'BLE MR. JUSTICE SANDEEP MEHTA

Order

08/12/2020

Heard.

Perused the material available on record.

The petitioner-complainant has filed the instant criminal miscellaneous petition for assailing the order dated 13.01.2015, whereby the learned Judicial Magistrate, Nathdwara rejected the protest petition filed by the petitioner against the negative Final Report submitted by the S.H.O., Police Station Khamnor after investigation of the FIR No.154/2012 and the order dated 22.07.2016 passed by the learned Additional Sessions Judge, Nathdwara in Criminal Revision No.24/2015, whereby the said order was affirmed.

Having considered the submissions advanced by the learned counsel for the parties and after going through the impugned orders, I am of the firm opinion that the dispute inter se between the parties was purely of civil nature. Thus, the learned Magistrate was absolutely justified in accepting the negative Final Report. Two courts of competent jurisdiction have recorded concurrent finding of facts against the petitioner while accepting the Final Report rejecting the revision.

In this background, I am not inclined to interfere in the matter by exercising the inherent powers conferred upon this court by Section 482 CrPC. Accordingly, the instant criminal miscellaneous petition is dismissed as being devoid of merit.

(SANDEEP MEHTA),J

19-Pramod/-

RAJASTHAN HIGH COURT
सत्यमेव जयते