HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 1405/2014

Balu Ram S/o Shri Lobhchand by caste Jat, R/o Village Baru, Teshil Rashmi, Chittorgarh

----Petitioner

Versus

1. State of Rajasthan through PP
2. Bheru Lal S/o Shri Ruplal Kumar, R/o Rashmi, Panchayat Parsar Adhikari, Panchayat Samiti Rashmi, Chittorgarh

----Respondent

Rajasthan High Court Web Copy - Not Official

Connected With

S.B. Criminal Misc(Pet.) No. 1520/2014

Suresh Chandra Sharma S/o Late Shri Madan Lal Sharma, R/o B-224, Hudco Colony, Sector No.5, Gandhi Nagar, Chittorgarh, the then Gram Sewak and Secretary, Baru, Gram Panchayat Rashmi, Presently posted as Gram Sewak and Secretary Bhopalsagar, Tehsil Kapasan, District Chittorgarh.

----Petitioner

Versus

State of Rajasthan.

----Respondent

For Petitioner(s)	:	Mr. I.R. Choudhary (through V.C.) Mr. Ramesh Purohit (through V.C.)
For Respondent(s)	:	Mr. B.R. Choudhary, AGC

HON'BLE MR. JUSTICE SANDEEP MEHTA

Judgment

16/12/2020

Heard. Perused the material available on record.

Learned counsel for the petitioners urge that the petitioners have already joined the investigation and as the investigation has reached to its culmination, the petitioners may be given liberty to appear before the trial court and furnish bail bonds and they may

be allowed to raise all their permissible objections before the trial court at the appropriate stage of proceedings.

Learned Public Prosecutor has placed a factual report on record as per which, the Investigating Officer has found the offences under Sections 167, 477 and 420 IPC proved against the petitioners.

In this view of the matter, I am of the firm view that at this stage, it would be imprudent for this Court to hold that the impugned FIR does not disclose the necessary ingredients of the offences alleged.

In the peculiar facts of the case, the Investigating Officer is directed to notify the petitioners regarding the date of filing of the chargesheet. The petitioners shall appear before the trial court on the scheduled date and furnish bail and bonds to its satisfaction whereupon they shall be released on bail. The petitioners shall be at liberty to raise all their permissible objections before the trial court at the suitable stage of proceedings.

With above observations ,the misc. petitions are dismissed as not pressed. Stay applications are also dismissed.

(SANDEEP MEHTA),J

1-Sudhir Asopa/-

Rajasthan High Court Web Copy - Not Official
सत्यमेव जयते
RAJASTHAN HIGH COURT
सत्यमेव जयते