HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 6591/2019

Rakesh Kumar Gupta S/o Shri Kailash Chandra Gupta, Aged 50 Years, By Caste Agarwal, R/o Plot No. 7, In Front Of Mahaveer Talkies, Tehsil Aburoad, District Sirohi.

----Petitioner

Versus

1. State of Rajasthan, Through P.P.
2. The Superintendent Of Police, Sirohi.
3. The Station House Officer, Police Station Aburoad City, District Sirohi.
4. Rajkumar Saxena S/o Shri Manmohan Saxena, By Caste Kayasth, R/o Diesel Shed Road, Gandhi Nagar, Aburoad, District Sirohi.
5. Anupama Saxena W/o Rajkumar Saxena, By Caste Kayasth, R/o Diesel Shed Road, Gandhi Nagar, Aburoad, District Sirohi.
6. Vikram Singh S/o Chug Singh, R/o Indorhi, Ramsar, District Barmer Managing Director, Sanjeevani Credit Cooperative Society.
7. Puran Singh, Chairman, Sanjeevani Credit Cooperative Society.

----Respondents

For Petitioner(s) : None present
For Respondent(s) : Ms. Raj Laxmi Choudhary, PP

HON'BLE MR. JUSTICE VIJAY BISHNOI

Judgment / Order

27/01/2020

This criminal misc. petition under Section 482 Cr.P.C. has been filed on behalf of the petitioner with a prayer to issue directions to the police authorities to conduct fair and impartial

investigation into the allegations levelled in the FIR No.0291/2019 of Police Station Aburoad City, Distt. Sirohi.

Having heard learned counsel for the petitioner, this Court is of the opinion that the petitioner can very well approach the concerned court under Section 156(3) Cr.P.C. seeking fair and impartial investigation in the above referred FIR as per the law laid down by the Hon'ble Supreme Court in the case of ***(Sakiri Vasu Vs. State of U.P. and Ors.)*** reported in ***(2008) 2 SCC 409*** and ***(Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage and Ors.)*** reported in ***(2016) 6 SCC 277***.

Hence, this criminal misc. petition is disposed of with liberty to the petitioner to move application under Section 156(3) Cr.P.C. before the concerned court and it is expected that if any such application is moved on behalf of the petitioner, the concerned court shall consider the same strictly in accordance with law.

(VIJAY BISHNOI),J

42-amit/-

RAJASTHAN HIGH COURT
सत्यमेव जयते