HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Revision Petition No. 362/2020

Jarnel Singh S/o Dogar Singh, Aged About 47 Years, By Caste Majahbi Sikh, R/o Leelawali, Tehsil Sangaria, District Hanumangarh, Rajasthan.

----Petitioner

Versus

1. State, Through P.p.
2. Bhupendra Singh S/o Vinod Kumar, By Caste Jat, R/o Leelawali, Sangaria, Hanumangarh, Rajasthan.
3. Vinod Kumar S/o Shri Aatma Ram, By Caste Jat, R/o Leelawali, Sangaria, Hanumangarh, Rajasthan.
4. Jain Prakash S/o Ladu Ram, Aged About 52 Years, By Caste Jain, R/o Leelawali, Sangaria, Hanumangarh, Rajasthan.
5. Prithvi Raj S/o Lekh Ram, By Caste Jat, R/o Leelawali, Sangaria, Hanumangarh, Rajasthan.
6. Ranveer Singh S/o Raghuveer Singh, By Caste Jat, R/o Leelawali, Sangaria, Hanumangarh, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Saurabh Soni
For Respondent(s)	:	Ms. Sonu Manawat, PP Mr. Vineet Jain, Sr. Adv assisted by Mr. Harshvardhan

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HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

10/01/2025

Instant revision petition has been filed by the petitioner against the order dated 01.02.2020 passed by learned Special Judge, SC/ST (Prevention of Atrocities Act) Cases, Hanumangarh whereby the learned Judge dismissed the protest petition and

accepted the FR filed by the police in FIR No. 265/2010, P.S.Hanumangarh Junction, District Hanumangarh.

Brief facts of the case are that the complainant Tej Kaur @ Gej Kaur filed a complaint before the competent Magistrate stating therein that her husband was working as a Watchman and he inherited the agriculture land after death of her father-in-law. It was alleged that accused persons on the basis of false and fabricated religion conversion certificate and power of attorney, sold the agricultural land to respondent no.1

On the basis of said complaint, FIR No. 265/2010 was registered for the offence under Sections 420, 463, 464, 465, 467, 468, 34, 120B IPC and Section 3 of SC/ST (Prevention of Atrocities) act and after investigation, the police submitted FR that no case is made out against the accused respondents. The petitioner filed a protest petition before the learned trial court. After considering the evidence collected during investigation and recording statement of witnesses, the court of learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Hanumangarh accepted the Final Report and rejected the protest petition vide order dated 01.02.2020.

Counsel for the petitioner submits that without considering the material aspect of the matter, the trial court mechanically rejected the protest petition filed by the petitioner. It is argued that complainant Tej Kaur died, therefore, her statement could not be recorded but on the basis of statement of other witnesses recorded, a prima facie case is clearly made out against the accused respondents. It is argued that the investigating officer has not investigated the matter in correct perspective and

therefore, it is prayed that the matter may be remanded back to the trial court for passing a fresh order in accordance with law.

Learned Public Prosecutor and counsel for the accused respondents supported the impugned order and submitted that the trial court has discussed each and every aspect of the matter and has rightly rejected the protest petition, which does not call for any interference.

Heard the learned counsel for the parties and perused the order impugned so also the record.

It is not disputed that after thorough investigation, the police submitted a final report to the effect that no case is made out against the respondents as the petitioner failed to make out a prima facie case against the respondents. Learned trial court after considering the Final report submitted by the police, rejected the protest petition on the said ground by way of a detailed order. In the opinion of this Court, no plausible ground exists for disbelieving the negative Final report filed by the police after thorough investigation. Learned court below after considering the entire material on record, has accepted the Final report filed by the police. There is no illegality or perversity in the impugned order dated 01.02.2020. Hence, this revision petition is hereby dismissed. Stay petition is also dismissed.

Record of the trial court be sent back forthwith.

(MANOJ KUMAR GARG),J

80-BJSH/-