HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 2765/2024

Subhash Chander @ Dariya S/o Hanumand Das, Aged About 40 Years, R/o Rajanwali, Dist Fazilka, Punjab

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Amratpal Singh S/o Sh. Ranjeet Singh, R/o 9 Fa, Sri Ganganagar, Raj.

----Respondents

Connected With

S.B. Criminal Misc(Pet.) No. 5813/2024

1. Ajay Kumar S/o Shri Satpal, Aged About 47 Years, R/o Village Rajanwali, Tehsil Abohar, Dist. Fazilka, Punjab
2. Vinod Kumar S/o Bhup Ram, Aged About 46 Years, R/o Village 11 Tk, Tehsil Raisinghnagar, Dist. Sriganganagar

----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Amritpal Singh S/o Ranjeet Singh, R/o 9 Fa, Majhiwala, Sri Karanpur, Dist. Sri Ganganagar

----Respondents

For Petitioner(s)	:	Mr. LK Ramdhari Mr. Sameer Khan
For Respondent(s)	:	Mr. Vikram Rajpurohit, Dy.G.A. with Mr. R.S. Bhati Mr. DS Gharsana Mr. Ankur Limba Mr. Rampratap, C.I., SHO, P.S. Sri Karanpur

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HON'BLE MR. JUSTICE FARJAND ALI

Order

11/02/2025

1. After conducting thorough investigation in the matter, the petitioners' presence is found at the spot and their active involvement is observed by the agency. The result of investigation is going to be submitted very soon. There are allegations of forming an unlawful assembly and proceeding to the place of incident in furtherance of the common intention and then making an assault over the victim party in which fire arms were used and some received grievous and simple injuries and one Jagmeet Singh shot dead as a result of the firearm injury received by him.

2. Certainly, the allegations levelled in the FIR reflecting commission of a cognizable offence in which after investigation the involvement of the petitioners has been found proved. This Court is not supposed to make an inquiry to ascertain the truth behind the story and to record the statements of the witnesses at the nascent stage of the criminal proceeding since doing so would mean conducting a mini trial before the actual trial. The genuineness and truthfulness of the allegation cannot be examined while hearing a petition for quashing of the FIR. An FIR cannot be quashed on simple and bald assertion of falsity of allegation.

3. In view of the above, the instant misc. petitions as well as stay petitions are dismissed.

4. Factual report dated 06.02.2025 be taken on record.

(FARJAND ALI),J

195-196.Samvedana/-