HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 7388/2026
CNR: RJHC021092352026 | URN: CRLMP / 18061U / 2026

Ramesh Chand S/o Jagan Singh, R/o Seedpur, Bharatpur, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Harsh Simran, Tata AIA Life Insurance Company Ltd., S-22, Chandigarh, India.

----Respondents

For Petitioner(s)	:	Mr. Amitosh Rana, Adv. for Mr. Suresh Kumar, Adv.
For Respondent(s)	:	Ms. Arti Sharma, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

16/11/2026

1. This Criminal Misc. Petition has been filed under Section 528 of BNSS on behalf of the petitioner for quashing of FIR No.101/2026 registered at Police Station Mathuragate, District Bharatpur for offences punishable under Sections 318(4), 338, 336(3) and 61(2) of BNS and all consequential proceedings arising thereof.

2. Learned counsel for the petitioner submits that bare perusal of the FIR would reveal that no offence is made out against the petitioner. Counsel submits that petitioner has been falsely implicated in the present case and has no connection with the alleged offences. Learned counsel further submits that the allegations levelled against the petitioner are vague, baseless and

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unsupported by any cogent material available on record. Counsel argues that the petitioner was serving as an Assistant Sub-Inspector at the time of the alleged incident and was diligently performing his duties, and has acted strictly in accordance with the official procedures, routine papers and application presented before him by parties during course of his official duties. Counsel also argues that the petitioner is not named in the FIR and his subsequent implication in this matter is a clear afterthought. Counsel submits that continuation of the criminal proceedings against the petitioner would amount to an abuse of the process of law and would cause serious prejudice to the petitioner, therefore, it is prayed that the present petition be allowed and the impugned FIR, along with all consequential proceedings arising therefrom, be quashed qua the petitioner.

3. Per contra, learned State counsel has submitted the factual report dated 05.11.2026, the same is taken on record. Counsel submits that the complainant-Insurance Company lodged the impugned FIR alleging the existence of a conspiracy to fraudulently obtain and encash the insurance policy of one Shiva (policy holder/deceased), who was already bedridden on account of ingestion of acid and was under medical treatment for the same. It is submitted that the conspirators allegedly set up a fake motorcycle accident scene so as to show the death of the policy holder as accidental and reported the same to the petitioner, who was then posted as Assistant Sub-Inspector. It is further alleged that the petitioner received a sum of Rs.50,000/- from one of the alleged conspirators for facilitating the preparation of a false post-mortem report in conspiracy with Dr. Shashikant, who opined that

the cause of death was excess blood loss due to fracture of skull bone. Counsel submits that during investigation, it has come on record that the policy holder died at his home on account of the injuries resulting from ingestion of acid, and not in an accident and co-accused Dr. Shashikant has already been arrested in the present FIR. It is further submitted that a telephonic conversation also took place amongst the alleged conspirators soon after the death of the policy holder. Counsel submits that investigation qua the petitioner is still pending. Therefore, considering the gravity and nature of the alleged offences, no case for interference is made out.

4. Heard learned counsel for the parties and perused the material available on record.

5. Perusal of the impugned FIR, the charge-sheet and the factual report would reveal that prima facie contents of the FIR disclose commission of cognizable offences. It has come on record that the petitioner, who was posted as Assistant Sub-Inspector at the relevant time, is alleged to have received a sum of Rs.50,000/- from one of the alleged conspirators for facilitating the preparation of a false post-mortem report, so as to show the death of the policy holder as accidental for the purpose of claiming the insurance amount, whereas, as per the investigation, the policy holder died at his home on account of the acid injuries. Dr. Shashikant, who prepared the allegedly fake post-mortem report, has already been arrested. Therefore, having regard to the nature and gravity of the offence, this Court is of the considered view that the case of the petitioner does not fall within any of the categories prescribed by the Hon'ble Supreme Court in **State of**

Haryana & Ors. vs. Choudhary Bhajan Lal & Ors., AIR 1992 SC 604, warranting exercise of inherent jurisdiction for quashing of the FIR.

6. Furthermore, counsel for the petitioner has failed to make out any of the exceptional circumstances under which the cognizable offence can also be quashed, therefore, in the facts and circumstances of the case, particularly when other persons named in the FIR have been arrested and the investigation qua the petitioner is still pending, the allegations levelled by the complainant in the FIR against the petitioner are required to be investigated by the Investigation Agency. Thus, this Court does not find a good ground to quash the impugned FIR against the petitioner.

7. Accordingly, the present Cr. Misc. Petition is hereby dismissed.

8. Stay application and pending application(s), if any, also stand dismissed.

(ANIL KUMAR UPMAN),J

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