

(2012) 09 RAJ CK 0141

In the Rajasthan High Court

Case No : Criminal Miscellaneous Petition No. 2596 of 2012

Daljit Singh

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

Date of Decision : 11-09-2012

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 420, 467, 468, 471

Citation : (2012) 09 RAJ CK 0141

Hon'ble Judges : Bela M. Trivedi, J

Bench : Single Bench

Advocate : Samander Singh, for the Appellant; Peeyush Kumar, Public Prosecutor, for the Respondent

Final Decision : Dismissed

Judgement

Hon"ble Ms. Justice Bela M. Trivedi

1. The present petition has been filed by the petitioner-accused u/s 482 Cr.P.C., for quashing the F.I.R. being No. 253/2010, registered at the Police Station Murlipura, Jaipur, for the offences under Sections 420, 467, 468, 471 IPC. It has been sought to be submitted by Learned Counsel Mr. Samander Singh, for the petitioner that the petitioner is sought to be falsely implicated for the allegations made in the F.I.R. against him and his son. According to him, the dispute between one Vikram Singh and the complainant Prashant Sinha was already resolved as per the order passed by the High Court and the petitioner had no role to play in the matter of alleged fraud of pattas. He also submitted that his son Vikram Singh was arrested and taken to police custody, however, no such forged patta as alleged in the F.I.R. was recovered from him. He further submitted that the complainant Prashant Sinha has filed the complaint only with a view to harass the petitioner and his son, and that the police is also prolonging investigation since last more than two years with a view to harass the petitioner.

2. However, Mr. Peeyush Kumar, learned Public Prosecutor, taking the Court to

the earlier order passed by this Court, permitting the Learned Counsel for the petitioner to withdraw the petition u/s 482, Cr.P.C., submitted that this is the second round of litigation filed by the petitioner. He also submitted that the F.I.R. discloses prima-facie involvement of the petitioner and the investigation is still under process.

3. Having regard to the submissions made by the Learned Counsels for the parties and to the documents on record, more particularly the contents of the F.I.R., it appears that the allegations found against the petitioner and his son along with others by the complainant were regarding forging the patta of the premises in question. As submitted by learned Public Prosecutor, the investigation is still under process, and therefore, it would not be appropriate for this Court to interfere with the same by making any observations on the merits of the petition. It also appears that the petitioner had earlier filed one petition u/ Sec. 482 Cr.P.C. for quashing the F.I.R. and the same was withdrawn as transpiring from the order dated 11.7.2011, passed by this Court in S.B. Cr. Misc. Petition No. 2214 of 2010. It was also sought to be submitted by Learned Counsel for the petitioner that the petitioner is an aged person suffering from many diseases. However, that would not be the ground to quash criminal proceedings against him. In that view of the matter, the Court does not find any substance in the present petition and the same is dismissed. However, it is expected that the investigation shall be carried out as expeditiously as possible.