

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

JAIPUR BENCH, JAIPUR

ORDER

SB Cr Misc Petition No.913/2016

Gopal Sharma versus State of Rajasthan & anr

31.3.2016

HON'BLE MR. JUSTICE MN BHANDARI

Mr Amit Singh Shekhawat – for petitioner/s

Mr RR Baisla, PP – for the State

BY THE COURT:

By this criminal misc petition, a prayer is made for quashing of the FIR No.68/2016, registered at Police Station – Kotwali, Sikar for offence under sections 420, 467, 468, 471 and 120B IPC.

Learned counsel submits that petitioner is a witness to the patta issued in favour of Jhabarmal. He has been falsely implicated in the case thus FIR may be quashed. The alternative prayer is to grant liberty to the petitioner to submit documents to the IO so that truth may come while drawing conclusions of the investigation.

सत्यमेव जयते
I have considered submissions and perused the record.

I find that finding of fact regarding commission of crime cannot be recorded by this court. If the petitioner has no role in the case, police,

after making investigation, would draw conclusions favourable to the petitioner. In view of above and looking to the limited jurisdiction of this court to quash the FIR, which, in fact, cannot be on facts, I am not inclined to accept the prayer made in this petition, however, this petition is disposed of with liberty to the petitioner to submit documents to the IO within a week. If any document is submitted by the petitioner, the IO is directed to consider the same during course of investigation.

(MN BHANDARI), J.

bnsharma

All corrections made in judgment/ order have been incorporated in judgment/ order being emailed.

(BN Sharma)
Deputy Registrar

सत्यमेव जयते