



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Revision Petition No. 1062/2025

Ranjeet Singh Alias Ranjeet Singh Gediya S/o Narayan Singh,
Aged About 57 Years, Resident of 85, Sona Bari, Gopalpura Bay
Pass, Jaipur Rajasthan.

-----Petitioner

Versus

Superintendent of Police, C B I, SC II New Delhi

-----Respondent

For Petitioner(s) : Mr. Dharendra Singh, Sr. Adv assisted
by Mr. Priyanka Borana
For Respondent(s) : Mr. S.S. Ladrecha, Spl. P.P. for CBI

HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Judgement

Judgment Reversed on : 23/09/2025
Judgment Pronounced on : 17/10/2025

By way of the instant revision petition, the accused petitioner has approached this Court being aggrieved of the order dated 08.08.2025 passed by learned Additional Sessions Judge No.5, Jodhpur Metro in Session Case No.164/2024 (State Vs. Lokendra Singh Kalavi & Anr.) arising out of FIR No. RC.2(S)/2018-SCU-V/SC.II/CBI/NEW DELHI, whereby, the learned trial Court framed the charges against the petitioner under Section 109 read with Sections 147, 148, 283, 307, 325, 326, 332, 342, 353, 354, 397, 435 of IPC and Section 3/5 of Prevention of Damage to Public Property Act, 1984.

2. Brief facts of the case, as placed before this Court by the learned counsel for the revisionist-petitioner, are that complainant



Shambhu Singh Shekhawat, Sub Inspector, Police Station Malasar, District Nagaur lodged an F.I.R. on 13.07.2017 at Police Station Jaswantgarh, inter alia, stating that after the encounter of accused Anand Pal Singh on June 24, 2017, at Village Malasar, Police Station Ratangarh, District Churu, notices were issued to his relatives for cremation, but they refused to accept them and declined to take the dead body, which was eventually handed over by Police Station Churu on July 1, 2017. The relatives, however, did not perform the cremation and instead staged an agitation to press their alleged illegal demands. On June 25, 2017, the Station House Officer of Jaswantgarh was attacked with an intention to kill, a government vehicle was damaged, and sabotage occurred on the highway, leading to registration of FIR No. 108/2017. The dead body was ultimately handed over on 03.07.2017. Thereafter, efforts were made to reach a compromise through a committee formed under the intervention of Late Lokendra Singh Kalvi comprising other members. It is alleged that co-accused Lokendra Singh provoked the committee members to raise their voice against the administration instead of agreeing to the compromise and issued a press note calling for a large condolence meeting to facilitate a major agitation. On 11.07.2017, permission was granted for the use of an amplifier during the condolence meeting. On 12.07.2017, a WhatsApp group was allegedly used to mobilize people for the agitation. Lokendra Singh Kalvi and his supporters threatened the administration to accept their demands. Subsequently, violent clashes erupted between the crowd and the police; stones were pelted, vehicles were set ablaze, and police





personnel were assaulted. Around evening, several prominent persons including Sukhdev Singh Gogamedi, Hanuman Singh Khangta, Mahipal Singh Makrana, Durga Singh, Yogendra Katar, and others attended the condolence meeting and allegedly incited the crowd further. The mob then moved towards the railway station armed with stones, lathis, and iron rods, attacking police officers and causing injuries. Some police personnel were locked in a room, and kerosene was poured with intent to set them on fire. Platoon Commander Rajendra Singh was assaulted, and his service pistol was looted. Superintendent of Police Parish Deshmukh and his team were also attacked, and police weapons, including an AK-47 and pistols, were stolen. Constable Shanker Singh Rawat was found injured with kerosene smell on his body, and a government jeep was found burnt near the railway station. Based on these events, the present FIR was registered under various sections of the Indian Penal Code. Subsequently, the accused persons filed a counter FIR against the police and administrative officers, alleging that encounter of Anand Pal Singh was fake.

3. Learned counsel for the revisionist-petitioner submitted that the learned Court below, without looking into the facts and circumstances of the case, passed the impugned order, whereby it proceeded with framing of charges against the revisionist - petitioner. He further contended that the proceedings are politically motivated and have been initiated solely to settle a political vendetta. Moreover, the petitioner was not even present at the place of incident therefore, there was no evidence,





whatsoever, available before the learned trial Court to frame charges against the petitioner. The learned counsel for the revisionist-petitioner vehemently argued that the court below has not applied its mind before framing the impugned charges. The impugned order is patently wrong, irregular and improper. Hence, the revision petition may be allowed.

4. On the other hand, the learned Public Prosecutor, while opposing the aforementioned submissions made on behalf of the petitioner, submitted that the learned court below, after taking into due consideration all the facts and circumstances of the present case and after considering the evidence placed on record before it, has rightly passed the impugned order. Learned Public Prosecutor further submitted that the learned court below has passed the impugned order of framing of charges against the petitioner, wherein a detailed analysis or a roving inquiry is not required.

5. Heard learned counsel for the respective parties and perused the entire material and evidence available on record.

6. While dealing with the scope of Section 227 of the Code of Criminal Procedure, the Apex Court in the case of **Union of India (UOI) Vs. Prafulla Kumar Samal and Ors., (1979) SCC (CRI)**

609 observed as under:

“8.Strong suspicion against the accused, if the matter remains in the region of suspicion, cannot take the place of proof of his guilt at the conclusion of the trial. But at the initial stage if there is a strong suspicion which leads the Court to think that there is ground for presuming that





the accused has committed an offence then it is not open to the Court to say that there is no sufficient ground for proceeding against the accused. The presumption of the guilt of the accused which is to be drawn at the initial stage is not in the sense of the law governing the trial of criminal cases in France where the accused is presumed to be guilty unless the contrary is proved. But it is only for the purpose of deciding prima facie whether the Court should proceed with the trial or not. If the evidence which the Prosecutor proposes to adduce to prove the guilt of the accused even if fully accepted before it is challenged in cross-examination or rebutted by the defence evidence; if any, cannot show that the accused committed the offence, then there will be no sufficient ground for proceeding with the trial.”

7. This Court is also conscious that at the stage of framing of charges, the learned trial Court is not required to conduct a meticulous appreciation of evidence or a roving inquiry into the same, as observed by Hon'ble the Supreme Court in the case of ***State of NCT of Delhi and Ors. vs. Shiv Charan Bansal and Ors., (2020) 2 SCC 290*** in para 32 as under:-

“32. **I. Scope of Section 227 and 228 of the Cr.P.C.**: The Court while considering the question of framing charges under Section 227 of the Cr.P.C has the power to sift and weigh the evidence for the limited purpose of finding out whether or not a prima facie case has been made out against the accused. The test to determine prima facie case would depend upon the facts of each case. If the material placed before the court discloses grave





suspicion against the accused, which has not been properly explained, the court will be fully justified in framing charges and proceeding with the trial. The probative value of the evidence brought on record cannot be gone into at the stage of framing charges. The Court is required to evaluate the material and documents on record with a view to find out if the facts emerging therefrom taken at their face value disclose the ingredients constituting the alleged offence. At this stage, there cannot be a roving enquiry into the pros and cons of the matter, the evidence is not to be weighed as if a trial is being conducted."

8. It is settled proposition of law that at the stage of framing charges under the Code of Criminal Procedure, if there is a strong suspicion which leads the Court to think that there is ground for presuming that the accused had committed the offence, then the Court should proceed with the trial. The sole requirement is that the Court based on the available material, must be satisfied that prima facie a case is made out against the accused. Meaning thereby, if the material available on record sternly suggests that charges are required to be framed, then the Court may proceed to do so and the accused shall stand to trial. Further, the material must be such which can be translated into evidence at the stage of trial. The veracity and effect of the evidence are not to be meticulously judged at this stage, nor is any weight to be attached to the probable defence of the accused at the stage of framing charges. The Court is not required to consider whether there is





sufficient ground for conviction of the accused, or whether the trial is sure to end in the conviction.

Recently, the Apex Court in the case of **State of Orissa vs. Pratima Behera reported in AIR 2025 SC 218** observed as under:

"14..... at the stage of consideration of a petition for discharge what is to be considered whether there is a 'prima facie' case and certainly, the endeavour cannot be to find whether 'clinching' materials are there or not. In the common parlance the word 'clinch' means 'point' or circumstance that settles the issue. We have no hesitation to hold that such meticulous consideration for presence or absence of clinching material is beyond the scope of power of the Court while considering the question of discharge under Section 239, Cr.P.C. as also while considering the question of quashing of charge framed by the Trial Court, while exercising the revisional jurisdiction. It is to be noted that at that stage the materials collected by the prosecution would not mature into evidence and therefore, beyond the question of existence or otherwise prima facie case based on materials, the question whether they are clinching or not could not be gone into."

9. In the present case, the trial Court, after meticulously examining the entire material available on record, has passed a detailed and well-reasoned order. It has not merely acted in a mechanical or perfunctory manner but has judiciously evaluated the evidence, including the consistent and categorical statements





of key prosecution witnesses—namely, Shambhu Singh, Indraraj Mertiya, Pareesh Deshmukh, Rakesh Meena and Malini Agarwal, who have specifically mentioned the name of the revisionist-petitioner in their statements in connection with the alleged offence. A perusal of the impugned order shows that the trial Court has taken into consideration every relevant aspect of the case, including the factual matrix, the evidentiary value of the statements of the witnesses and has formed a justifiable opinion that there exist sufficient grounds for proceeding against the revisionist-petitioner.

10. This Court, therefore, finds that the judicial precedents laid down by the Apex Court are clear to the effect that at the stage of framing of charge, the scope of interference of this Court, as a revisional Court is very limited, so much so that the Court must be concerned only with the question whether there is any suspicion against the accused, and not with the proof of the allegation(s).

11. Thus, this Court is of the firm opinion that if a strong suspicion exists in the mind of the Court at the stage concerned, then the same is sufficient for the Court to proceed with the framing of the charges against the accused person(s). And if a prayer for discharge has been made before a revisional court, then the same may only be allowed if the court finds that the materials on record are wholly insufficient for the purpose of trial.

12. In view of the aforementioned precedential backdrop and the observations made hereinabove, this Court does not find any legal infirmity in the impugned order passed by the learned court below so as to warrant any interference, at this stage.





13. Consequently, the present petition is dismissed. All pending applications stand disposed of.

(CHANDRA SHEKHAR SHARMA),J

184-Anil/-

