



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

S.B. Criminal Miscellaneous (Petition) No. 3540/2026
CNR: RJHC010414122026 | URN: CRLMP / 6366U / 2026



1. Smt Geeta Devi D/o Late Naina Ram, Aged About 56 Years, W/o Deendayal Panwar, R/o Ward No. 33, Manawarvatika Ke Pas, Gandhipura, Balotra, Tehsil Pachpadra, Distt. Barmer. Through Power Of Attorney Holder Of Petitioner Deendayal Panwar Son Of Shankerlal, Resident Of Ward No. 33 Manwarvatika Ke Pas, Gandhipura, Balotra, Pachpadra, District Barmer (Husband Of Smt. Geetadevi)
2. Deendayal Panwar S/o Shri Shankarlal ji, Aged About 60 Years, Ward No. 33 Gandhipura Balotra, Tehsil Pachpadra, Distt. Balotra.

----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. The Superintendent Of Police, Balotra
3. The Station House Officer, Jasol Distt. Balotra

----Respondents

For Petitioner(s)	:	Mr. Deendayal Panwar (in person) Ms. Geeta Devi (in person)
For Respondent(s)	:	Mr. Vikram Singh Rajpurohit, PP Mr. Ravindra Singh Bhati, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

Conclusion of Arguments &

Reserved on : 18/09/2026

Pronounced on : 26/09/2026

1. The present miscellaneous petition has been filed under Section 528 of the BNSS seeking a direction for fair and impartial investigation in connection with FIR No.34/2024 registered at



Police Station Jasol, District Balotra, against the accused persons for offences punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860.

2. The petitioners present-in-person submitted that the complainant (petitioner no.1) lodged the impugned FIR alleging forgery, fabrication and use of forged documents in relation to ancestral property bearing Khasra No. 318, measuring 14 Bigha, 02 Biswa and 10 Biswansi, situated at Balotra. It was alleged that her father, Late Shri Nenaramji, was the recorded owner of the property and had sold 06 Bigha thereof vide registered document No.529/1996 dated 06.05.1996. The complainant alleged that certain accused persons, in connivance with others, had subsequently fabricated documents and forged the signatures of her father with a view to usurp the ancestral property. She also referred to FIR Nos. 72/2020 and 118/2022 concerning other allegedly forged documents and signatures.

2.1. On the basis of the complaint, offences under Sections 420, 467, 468, 471 and 120-B IPC were registered. After investigation, a negative final report was submitted. The complainant thereafter filed a protest petition and an application for further investigation. Vide order dated 19.10.2024, the Court directed further investigation, particularly with respect to Registration Nos. 408/2005 to 411/2005 and Lease (Patta) No. 876/1986, and directed that the disputed signatures of Nenaramji be examined by the FSL. Despite the said directions, the complainant alleges that the investigation remained incomplete. The matter was again remitted for further investigation, with directions to obtain an FSL



opinion by comparing the disputed signatures on the documents of 2005 with the admitted signatures of Nenaramji appearing on the document of 1986.

2.2. The petitioners submitted that the authorities are not complying with the said directions and have failed to obtain/place the requisite FSL report, therefore, this Court may direct to conduct the investigation in fair manner and to obtain the FSL report qua the signatures on the documents in question.

3. Per contra, learned Public Prosecutor vehemently opposed the submissions made by the petitioners and while referring to the factual report dated 17.09.2026, he submitted that the petitioners have no case on merits. He further submitted that the disputed documents have been sent twice for FSL, however, on both occasions the outcome of the FSL report remained inconclusive. He also submitted that the petitioners would be free to raise all their objections at appropriate stage, however, no indulgence is required in the present case as the matter has been investigated in a fair and transparent manner.

3.1. The factual report dated 17.09.2026 is taken on record.

4. Heard the petitioners as well as learned Public Prosecutor and perused the material available on record.

5. The prayer in the present misc. petition is with regard to fair investigation in connection with FIR No.34/2024 lodged at P.S. Jasol, Balotra. The petitioners have also made prayer No.(b) for initiating departmental inquiry against the officials of Forensic Science Laboratory.



6. At the outset, it is noted that no arguments have been advanced by the petitioners qua prayer No.(b).

7. The bone of contention of the petitioners qua prayer No.(a) is that the offence against the accused is clearly established yet on account of not having conclusive report on the disputed signatures, the investigation does not prima facie indicate the offence against the accused, whereas the fact of the matter is that the accused had forged signatures of the petitioner's father and had illegally got the land transferred in the name of third person.

8. It is to be noted that in the present case, the FIR was registered on 17.02.2024. After thorough investigation, final report was submitted and no offence against the accused was made out. In the investigation, it was recorded that a Revenue Suit No.41/2008 is pending before the Revenue Court, Balotra so also a Civil Suit No.1/2020 (Geeta Devi Vs. Champalal) is pending. It is also noted that the disputed sale deed were of the years 1996 and 2005. In the investigation, it was also revealed that the land in dispute was subsequently sold to various persons, who had constructed residential houses.

9. Considering the delay in raising such dispute so also considering the fact that dispute prima facie appears to be of civil nature, the final report was submitted. Later on, upon the application submitted by the petitioner, the matter was again investigated. At the behest of the petitioners, the disputed signature was sent to the FSL for testing its genuineness, however, the FSL report remained inconclusive. The petitioners challenged the said report. On account of indulgence being



granted by this Court, the matter was again sent to the FSL, however, the report yet gave inconclusive result.

10. Considering the totality of the facts and circumstances of the case, this Court finds no reason to doubt the fairness of investigation conducted by the Investigating Agency.

11. As an upshot of the above discussion, no indulgence is required in the present misc. petition, the same is accordingly dismissed.

12. Needless to observe that the petitioners would at liberty to raise their objections in accordance with law, at appropriate stage.

13. Pending application(s), if any, stand(s) disposed of.

(SUNIL BENIWAL),J

RAKESH MATHUR