RAJASTHAN HIGH COURT
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HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous (Petition) No. 6302/2026
CNR: RJHC010719142026 | URN: CRLMP / 11110U / 2026

Siddharth Chhajed S/o Shri Anil Kumar Chhajed, Aged About 24 Years, Resident Of 188-A, Shastri Nagar, Bhilwara, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Om Prakash Kalya S/o Shri Kanhaiya Lal Kalya, Resident Of E-181, Riico Industrial Area, Bhilwara, Police Station Pratap Nagar, District Bhilwara, Rajasthan.

----Respondents

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Connected With

S.B. Criminal Miscellaneous (Petition) No. 7314/2026
CNR: RJHC010744062026 | URN: CRLMP / 12633U / 2026

1. Bhupendra Singh Ranawat S/o Shri Bhanwar Singh Ranawat, Aged About 42 Years, Resident Of O 52,panna Dhay Circle Ke Pass, Azad Nagar, Bhilwara, Rajasthan.
2. Puran Regar S/o Shri Kanhaiya Lal Regar, Aged About 30 Years, R/o Regar Mohalla, Suwana, Bhilwara, Rajasthan

----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Omprakash Kalya S/o Kanhaiya Lal Kalya, Resident Of E-181, Riico Industrial Area, Bhilwara, Police Station Pratap Nagar, District Bhilwara, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Rohin Bhansali Ms. Anushka Jain
For Respondent(s)	:	Mr. Vikram Singh Rajpurohit, PP Mr. Ravindra Singh Bhati, PP Dr. Sachin Acharya, Sr. Adv. with Mr. Rajul Rajpurohit, Mr. Pratham Sachdeva and Ms. Vaishnav Nikita

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RAJASTHAN HIGH COURT

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

Reserved on : 16/11/2026
Pronounced on : 25/11/2026
Uploaded on : 25/11/2026

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1. The present petitions have been filed under Section 528 BNSS seeking quashing of the FIR No.635/2025 dated 22.12.2025 lodged at Police Station Pratap Nagar, District Bhilwara alleging offences under Section 316(2), 318(4) and 308(2) BNS.

2. The impugned FIR came to be lodged alleging that the complainant, Omprakash Kaliya, had purchased a plot situated at E-81, RIICO Industrial Area, Bhilwara, in the year 2016 and was constructing a commercial complex thereupon. During the course of construction, the accused Anil Chhajed, along with his wife Vandana Chhajed, offered to invest in the project and share the profits, pursuant to which an agreement dated 27.12.2019 was executed between the parties. It was alleged that the accused, with the intention of dishonestly usurping the complainant's property, fraudulently altered the said agreement and subsequently got it notarised on 27.01.2021 without the complainant’s knowledge. It was further alleged that on the pretext of arranging substantial bank finance, the accused induced the complainant to transfer the shares of Bhavanam Fabrics Private Limited in his favour, along with the company’s bank documents and stamp. The complainant alleged that despite having repaid approximately Rs. 2.5 crores to the accused towards the investment, the latter neither rendered accounts nor accounted for the sale and rental proceeds of the shops in the

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commercial complex, which were allegedly appropriated by him. It was further alleged that the accused, in connivance with his wife and other associates, continued to demand an additional sum of Rs. 3 crores by raising unlawful claims of interest, threatened the complainant's son, Ram Pal Kaliya, and, on 30.11.2025, sent certain persons to the commercial complex who threatened to kill him. Alleging that the accused persons were attempting to usurp the commercial property on the basis of forged and fabricated documents and had cheated and criminally intimidated the complainant and his family, the complainant lodged the impugned FIR.

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2.1. Hence, the present petition.

3. Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case and that the dispute essentially arises out of commercial and property transactions between the complainant and the principal accused Anil Chhajed. He contended that the transactions in question relate to the period between 2016 and 2020, whereas the FIR came to be lodged after an inordinate delay of nearly seven years, without any satisfactory explanation. The allegations primarily concern agreements relating to property development, investment, shareholding, repayment of amounts and rendition of accounts, which are essentially civil and commercial in nature and have been given the colour of criminal proceedings on account of a monetary dispute.

3.1. So far as petitioners Bhupendra and Pooran are concerned, learned counsel submitted that they were merely employees of

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the principal accused Anil Chhajed, Bhupendra being his accountant and Pooran being his driver. He contended that their alleged signatures on the disputed agreement, in the capacity of witnesses, cannot by themselves establish their involvement in any criminal conspiracy or fraudulent transaction. There is no specific allegation or material to demonstrate that either of them had any role in obtaining the complainant's signatures, manipulating the agreement or dishonestly inducing the complainant to part with his property. Their mere employment under the principal accused and their presence in the transactions cannot be made a basis for fastening criminal liability upon them.

3.2. With regard to petitioner Siddharth Chhajed, learned counsel submitted that he is neither named in the FIR nor is any specific overt act attributed to him. He has been implicated merely on account of being the son of the principal accused Anil Chhajed. He contended that Siddharth is a bona fide student pursuing a Chartered Accountancy course and has no involvement in the business transactions between the complainant and the principal accused. He was neither a party to the agreements nor had any role in the alleged financial dealings or execution of the disputed documents. He further submitted that the complainant was neither the owner of the property in question nor a shareholder or director of M/s Shabnam Fabrics Private Limited and therefore, the allegations concerning transfer of shares and the property transactions are contrary to the documentary record. Reliance was also placed upon the agreements dated 27.12.2019 and 20.01.2020 and the relevant records of the Registrar of

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Companies to contend that the complainant had no legal or proprietary interest in the disputed property or company.

3.3. Learned counsel further submitted that the FSL report does not attribute the alleged alteration or manipulation of the disputed document to any of the petitioners and therefore, cannot establish their criminal involvement. He contended that the allegations regarding removal of documents and electronic articles from the office at Amar Palace are vague and do not establish any specific criminal act attributable to the petitioners. Mere reference to CCTV footage or collection of electronic evidence cannot, in the absence of any specific material establishing their involvement in the alleged offences, justify continuation of criminal proceedings against them. He also pointed out that, vide order dated 15.10.2026 passed in ***S.B. Criminal Misc. Petition No.8297/2026; Anil Kumar Chhajed Vs. State of Rajasthan & Ors.***, this Court had directed a fair investigation and had required the representation of the petitioner therein to be decided within eight weeks. However, the said exercise had not been concluded, and the factual report relied upon by the respondents was prepared prior to the aforesaid directions and does not reflect the outcome of the fresh investigation. Accordingly, learned counsel contended that the continuation of criminal proceedings against the petitioners would amount to abuse of the process of law and prayed that the impugned FIR and consequential proceedings be quashed.

4. Learned Senior counsel for the respondent-complainant submitted that the principal accused, Anil Chhajed, had obtained

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the complainant's signatures on blank papers and thereafter misused the same to prepare fabricated documents with the intention of fraudulently usurping the complainant's property. It was contended that the FSL report pertaining to the disputed agreement has been received, wherein it has been opined that the printed contents of the document were inserted after obtaining the complainant's signatures, thereby prima facie substantiating the allegation of fabrication and manipulation. He further submitted that the petitioners Bhupendra Singh Ranawat and Pooran had signed the disputed document as witnesses and had thus facilitated the fraudulent transaction. So far as petitioner Siddharth Chhajed is concerned, he submitted that he is the son of the principal accused, Anil Chhajed and co-accused Vandana Chhajed, and is also a beneficiary of the alleged fraudulent acts. Accordingly, he contended that there is sufficient material which prima facie discloses the involvement of the petitioners in the alleged conspiracy to grab the complainant's property, and no case for quashing of the FIR is made out.

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5. Learned Public Prosecutor opposed the petitions and while referring to the factual report dated 13.11.2026, submitted that the investigation has revealed the active involvement of the petitioners Bhupendra Singh Ranawat and Pooran in the fabrication of the disputed agreement at the instance of co-accused Anil Chhajed. He contended that both the petitioners signed the fabricated agreement as witnesses and thereby facilitated the alleged fraudulent transaction. The FSL reports dated 28.07.2026 and 01.10.2026 revealed that the date

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mentioned in the disputed agreement had been altered by erasure and addition of digits in different ink. The subsequent examination further indicated that the printed matter on the disputed agreement had been printed after the complainant had affixed his signatures, thereby lending prima facie support to the allegation of subsequent manipulation of the document.

5.1. He further submitted that accused Bhupendra Singh Ranawat and other co-accused persons had actively participated in removing and concealing material evidence from the office situated at Amar Palace. The prosecution contended that even prior to the search conducted by the police pursuant to the arrest of Anil Chhajed, the petitioners had attempted to remove important documents and electronic evidence from the said premises so as to frustrate the investigation. The CCTV footage collected during investigation allegedly depicts Bhupendra Singh Ranawat entering the office along with other accused persons and removing bags containing important documents and electronic articles.

5.2. With regard to petitioner Siddharth Chhajed, son of co-accused Anil Chhajed, it was submitted that he had not cooperated with the investigating agency and had also handed over his mobile phone, which was actually being used by the principal accused Anil Chhajed, to the police. He further contended that, following the arrest of Anil Chhajed, Siddharth Chhajed, in association with other accused persons, was involved in removing important documents and electronic equipment, including the computer CPU and monitor, from the Amar Palace office. The CCTV

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footage dated 10.07.2026 and 12.07.2026 was relied upon to substantiate his alleged involvement in the removal and concealment of material evidence.

5.3. Learned Public Prosecutor, therefore, submitted that the allegations against the petitioners cannot be viewed in isolation, as their respective roles prima facie disclose their involvement in the larger conspiracy allegedly hatched to fabricate the disputed agreement, usurp the complainant's property and subsequently remove or destroy material evidence to obstruct the investigation. He contended that the FSL findings, CCTV footage and other material collected during investigation disclose a prima facie case against the petitioners and that the disputed questions of fact and the respective roles of the accused persons cannot be examined in proceedings under Section 528 BNSS. Accordingly, the present petitions deserve to be dismissed.

6. The factual report dated 13.11.2026 is taken on record.

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

8. At this stage, it is necessary to bear in mind the settled principles governing the exercise of inherent jurisdiction of this Court. In ***State of Haryana Vs. Bhajan Lal; AIR 1992 SC 604***, the Hon'ble Supreme Court, while illustrating the categories of cases in which the inherent jurisdiction may be exercised, held that where the allegations made in the FIR, even if taken at their face value and accepted in their entirety, do not prima facie constitute any offence, or where the uncontroverted allegations and the material collected during investigation do not disclose the

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commission of any offence, interference by the High Court would be justified.

8.1. Further, in ***Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharashtra; (2021) 19 SCC 401***, the Hon'ble Supreme Court has cautioned that the power of quashing criminal proceedings is to be exercised sparingly and that the High Court should not embark upon an enquiry into the reliability or genuineness of the allegations or undertake a mini-trial while exercising such jurisdiction.

8.2. Thus, the exercise of inherent jurisdiction requires the Court to examine whether the allegations and the material available on record disclose the essential ingredients of the offences alleged, without undertaking an elaborate appreciation of evidence or recording findings on disputed questions of fact which are ordinarily required to be determined during trial.

9. This Court finds that the allegations levelled in the impugned FIR cannot be said to be purely civil in nature, particularly in view of the subsequent developments revealed during investigation. The gravamen of the allegations is that the principal accused Anil Chhajed, by obtaining the signatures of the complainant on blank papers, subsequently prepared and manipulated documents with a view to fraudulently acquiring control over the complainant’s property. Significantly, the FSL reports dated 28.07.2026 and 01.10.2026 lend prima facie support to the allegation of manipulation of the disputed agreement. The forensic examination has revealed alterations in the date of the document by erasure and addition of digits in different ink. It has further been opined

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that the printed contents of the document were inserted after the complainant had affixed his signatures thereon. These findings, at this stage, cannot be brushed aside and lend considerable support to the prosecution version that the disputed document was not prepared in the manner in which it is sought to be projected by the accused persons.

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10. So far as the petitioners Bhupendra Singh Ranawat and Pooran are concerned, their alleged role as witnesses to the disputed agreement assumes significance in the backdrop of the aforesaid forensic findings. The prosecution case is that they facilitated the fraudulent transaction by signing the disputed document as witnesses. Further, the factual report indicates their alleged involvement in the removal of material documents and electronic articles from the office situated at Amar Palace, even prior to the search conducted by the investigating agency following the arrest of the principal accused. The CCTV footage collected during investigation is stated to depict their participation in such activities. Similarly, petitioner Siddharth Chhajed, being the son of the principal accused Anil Chhajed, is alleged to have actively participated in the removal of material evidence from the aforesaid premises. The prosecution has also pointed out that he had not cooperated with the investigating agency and had handed over a mobile phone to the police which was being used by the principal accused Anil Chhajed. The CCTV footage dated 10.07.2026 and 12.07.2026 is also stated to disclose his involvement in removing important documents and electronic equipment, including the computer CPU and monitor. These

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circumstances, taken cumulatively, require examination during investigation and cannot be conclusively adjudicated upon in the present proceedings.

11. This Court is conscious of the fact that the mere execution of a document as a witness or the relationship of a person with the principal accused, by itself, would not be sufficient to attract criminal liability. However, the allegations against the petitioners are not confined to these circumstances alone. Their alleged participation in the execution of the disputed document, coupled with their subsequent conduct in relation to the removal and concealment of material evidence, constitutes relevant material which requires proper investigation. Whether the petitioners had knowledge of the alleged manipulation, whether they shared the requisite criminal intent and whether their acts formed part of a larger conspiracy are matters which would require appreciation of evidence. At this stage, this Court cannot undertake a meticulous examination of the material or conduct a mini-trial to ascertain the ultimate culpability of each petitioner. The defence sought to be raised by the petitioners cannot be examined in isolation from the material collected by the investigating agency.

12. This Court is of the considered opinion that the allegations contained in the impugned FIR, read in conjunction with the material collected during investigation, prima facie disclose the commission of cognizable offences and do not fall within the categories warranting exercise of inherent jurisdiction. The present case involves disputed questions of fact, the genuineness and circumstances surrounding the execution of the disputed

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agreement, the respective roles of the petitioners and their alleged subsequent conduct in relation to material evidence, which cannot appropriately be examined in proceedings under Section 528 BNSS.

13. In view of the discussion made above, this Court does not find any ground warranting exercise of inherent jurisdiction under Section 528 BNSS for quashing the impugned FIR. Consequently, the present criminal miscellaneous petitions are **dismissed**.

14. Needless to observe that the observations made herein shall not prejudice the investigation or the rights and contentions of either party.

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

(SUNIL BENIWAL),J

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