

Jag Ram Vs. State and anr

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Court : Rajasthan Jodhpur

Decided On : Dec-03-2012

Appellant : Jag Ram

Respondent : State and anr

Judgement :

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR
ORDER S.B.CRIMINAL MISC. PETITION NO.2196/2012 Jag Ram Vs. State of
Rajasthan & Anr. Date of order :

3. 12.2012 HON'BLE MR. JUSTICE SANDEEP MEHTA Mr. M.L.Khatri, for the petitioner. Mr. Anand Purohit, Sr.Advocate, AAG a/w Mr.Pradhuman Singh, for the State. Mr. Rahul Barhat, S.P. Barmer Mr. Arjun Singh, Dy.S.P. Gudamalani. <><><> The instant misc. petition has been filed by the petitioner complainant seeking a direction for fair investigation of FIR No.191/2011 registered at the Police Station Gudamalani in relation to the rape committed upon the petitioner's daughter Mst.'D'. This Court whilst considering the misc. petition had issued certain directions on 9.11.2012 and 20.11.2012. The S.P. Barmer and Dy.S.P. Gudamalani are both present in the court. In pursuance to the order dated 20.11.2012, the Additional Advocate General assisted by the S.P. Barmer and Dy.S.P. Gudamalani submitted a reply cum-compliance report. Heard learned counsel for the parties. On a perusal of the compliance report, it is revealed that the principal accused Taga Ram, against whom the prosecutrix upon being produced before this Court in the Habeas Corpus Petition made the allegation of

kidnapping, has been arrested. Regarding the other accused, the evidence particularly the mobile call details, which has been collected till date, is as per the I.O. suggestive that they did not participate in the crime. Of course, it is the domain of the trial court to find out as to who the actual offenders of rape upon the prosecutrix are, but at this stage, in view of the factual report-cum-compliance report, which has been filed in this Court, this Court is of the opinion that substantial compliance of the direction issued by this Court for fair investigation of the matter has been made. Accordingly, the misc. petition is disposed of and the Investigating Officer is directed to complete the investigation and file the result thereof in the concerned court at the earliest. Stay petition is also disposed of. (SANDEEP MEHTA), J.

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