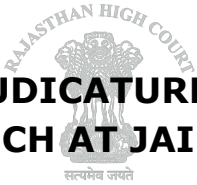




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous (Petition) No. 1969/2025

1. Shubham Rewad S/o Shri Gajendra Singh, R/o Sonu Sadan, Ladnu Marg, Parmanent Basti, Didwana District Didwana-Kuchaman.
2. Rohan Rewad S/o Shri Gajendra Singh, R/o Sonu Sadan, Ladnu Marg, Parmanent Basti, Didwana District Didwana-Kuchaman.
3. Ashish Kumar S/o Shri Shivraj Saini, R/o Ward No. 3, Dhaninowada, Chanwara, District Jhunjhunu.
4. Manish Jajada S/o Shri Dilkhush Jajada, R/o Bhadsiya, District Nagaur.
5. Mohit Meena S/o Shri Suresh Chand Meena, R/o Dhani Ringya, Chhareda, District Dausa.
6. Krishan Bhamu S/o Shri Sudhir Kumar Bhamu, R/o Village Road, District Nagaur (Raj).

---Accused-Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Harishankar Palsaniya S/o Shri Gauri Shankar, R/o Plot No. 154A, Rel Nagar, Nirman Nagar, Jaipur, Professor, Office Of Chief Registrar, Rajasthan University, Jaipur.

----Respondent

----Respondent/Complainant

For Petitioner(s) : Mr. Dharmendra Fageriya
For Respondent(s) : Mr. Rishi Raj Singh Rathore, P.P. with
Mr. Manvendra Singh Shekhawat, P.P.
Mr. Ashutosh Singh, S.I. Police
Station Gandhi Nagar
Mr. H.S. Palsaniya

HON'BLE MR. JUSTICE SAMEER JAIN

Judgment

22/04/2025

1. The present petition is filed under Section 528 of BNSS for quashing of FIR No.224/2024 dated 20.06.2024 registered at Police Station Gandhi Nagar, Jaipur (East), for offences punishable under Sections 143 and 353 of IPC (now BNS) as well as the



criminal proceedings arising therefrom, on the basis of the compromise effectuated inter-se the parties.

2. Upon perusal of the erstwhile order sheet dated 08.04.2025, it is noted that on the said date the dubious facts of the present controversy were noted. Taking note of the fact that in the matter in hand FIR was lodged by a professor of University of Rajasthan who was rendering duty also as the Disciplinary In-charge in the said university, qua the accused-petitioners vis-a-vis an incident in which the accused have locked the gate of the Administrative Block and conducted certain activities which were not expected from the students or any person in the campus of the University. However, considering the loop holes and other discrepancies, the Vice Chancellor of the University of Rajasthan was directed to appear through VC, and had submitted that the impugned FIR was made to be registered *sans* requisite sanction of permission of the competent authorities. It was also noted that as on date the complainant Shri Harishankar Palsaniya is superannuated and any compromise which is entered into by him would be in his personal capacity without permission of the authorities as no sanction to enter into a compromise qua any such incident is granted by the Vice Chancellor of the University.

3. Today, when the matter is called the complainant has marked the presence in the Court and has submitted that the said FIR was made to be registered ignoring the legal fundamentals and being novice. However, it is assured that such activity/step of entering into a compromise or lodging an FIR without due sanction shall not be repeated by him.



4. At this nascent juncture, learned counsel for the accused-petitioners has prayed for withdrawal of the present petition.

5. The concerned Investigating Officer has marked presence and submitted that the investigation in furtherance to the impugned FIR is at a steady pace and as of now, an accused is arrested.

6. Having heard the submissions made by the respective sides, upon a perusal of material available on record and granting audience to the Investigating Officer, this Court is of the view that the prayer made by the learned counsel for the petitioners is not tenable as the *lis* in hand is of a nature that will have a writ large effect. Further the following facts are deemed to be noteworthy:

6.1. The allegations noted in the FIR pertain to a group of students/persons who have locked the gate of the Administrative Block of the University of Rajasthan for whatsoever reasons.

6.2. The complainant herein is stated to be an ex-professor who at the time of incidence was the In-charge of Disciplinary Committee, however had lodged the impugned FIR in ignorance of law, without attaining requisite sanction from the competent authorities.

6.3. It can be deduced that the alleged offence is of serious in nature; effects public at large moreover lakhs of students who are enrolled or connected from/with the said University; that the alleged offence *per se* breaches the tranquility and peace of society and gives a negative influence to the spectators.

6.4. It is informed that the investigation in furtherance to the impugned FIR is at a steady pace and as on date one of the accused is arrested.



7. Taking note of the aforementioned and the fact that the compromise is entered *sans* any appropriate lawful backing and the FIR was made to be registered and ignorance of law, this Court is of the view that the instant compromise cannot be affirmed and acknowledged by the Court or any other judicial body.

8. Accordingly, the police authorities are directed to proceed further with the investigation, strictly in accordance with law, as deemed essential. Additionally, appropriate measures be taken in order to prevent such offences by persons like students, as the allegations in hand leave a lasting impact on public at large, are unwarranted and per-se unauthorized.

9. In view of the above, the present petition is dismissed. Pending application(s), if any, also stands disposed of.

10. Registrar (Judicial) is directed to send a copy of this order to the Chancellor, University of Rajasthan and the Vice Chancellor of the University of Rajasthan.

11. Taking note of the gravity of act, the Vice Chancellor, University of Rajasthan is further directed to send a copy of this order, along with categorical guidelines in this regard, to the Principal of all the affiliated Colleges (by or under the University of Rajasthan).

(SAMEER JAIN),J

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