

ITEM NO.33

COURT NO.9

SECTION II

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Crl.) No(s).9659/2023

(Arising out of impugned final judgment and order dated 27-07-2023 in SBCRWP No. 618/2023 passed by the High Court Of Judicature For Rajasthan At Jaipur)

SHANKAR LAL KHANDELWAL &amp; ORS.

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN &amp; ORS.

Respondent(s)

IA No. 172545/2023 - DISPENSING WITH AUTHENTIC TRANSLATION  
 IA No. 158385/2023 - DISPENSING WITH AUTHENTIC TRANSLATION  
 IA No. 155409/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
 IA No. 155410/2023 - EXEMPTION FROM FILING O.T.  
 IA No. 172544/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES  
 IA No. 158383/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 22-09-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY  
 HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. Sunil Fernandes, Adv.  
 Mr. Naman Mohnot, Adv.  
 Ms. Nupur Kumar, AOR  
 Ms. Priyansha Sharma, Adv.  
 Ms. Muskan Nagpal, Adv.  
 Ms. Diksha Dadu, Adv.

For Respondent(s) Mr. Siddhartha Dave, Sr. Adv.  
 Ms. Archana Pathak Dave, AOR  
 Mr. Kumar Prashant, Adv.  
 Ms. Aakriti, Adv.

UPON hearing the counsel the Court made the following

**O R D E R**

Heard Mr. Sunil Fernandes, the learned counsel appearing for the petitioners. The counsel would refer to the additional documents brought on record and, more particularly, the FIR No.604

of 2017 and the chargesheet in the said case filed on 24.07.2018 to submit that the allegations in the present FIR No.3 of 2023 is substantially similar to the allegations in the FIR No.604 of 2017. Accordingly, it is argued that the second FIR would be barred in view of the law laid down in *TT Antony vs. state of Kerala* reported in 2001 6 SCC 181.

2. It is further pointed out that there are as many as 10 cases pending against the complainant in the FIR No.3 of 2023, the details of which are mentioned in paragraph 5.4 in the Criminal M.P No.172544 of 2023, in the additional document.

3. Mr. Siddharth Dave, learned Senior Counsel appears for the respondent No.3 (complainant).

4. Issue notice.

5. In the meantime, the petitioners are protected from arrest. However, they shall cooperate with the investigation in default of which, this interim protection will be recalled.

**[DEEPAK JOSHI]**  
COURT MASTER

**[KAMLESH RAWAT]**  
ASSISTANT REGISTRAR