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NOTICE TO DATE OF HEARING IN CRIMINAL CASE
(RULE 316)
IN
THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR



BHANA RAM V/S STATE OF RAJ. AND ORS.

OFFENCE U/S ...

SB CRIMINAL WRIT

500 / 2026

OF AGAINST THE JUDGEMENT DATED _____ OF THE COURT OF _____

IN

COMPLAINT CASE NO. **NO.-**

TO,

VIKRAM SINGH S/O YOGESH KUMAR
R/O 36, SHANKAR NAGAR, NEAR PF OFFICE, NANDANWAN, JODHPUR, RAJASTHAN,
342008

TAKE NOTICE THAT THE ABOVE NOTED CASE WILL BE HEARD AND DISPOSED OF BY THIS COURT ON DAY OF **11-MAY-2026** AT **10:30 AM** GIVEN UNDER MY HAND AND THE SEAL OF COURT THIS DAY OF **04.04.2026**

Sesharma
04/04
प्रशासनिक अधिकारी न्यायिक
REGISTRAR (JUDICIAL)
राजस्थान उच्च न्यायालय पीठ,
जयपुर

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR**

S.B. CRIMINAL WRIT PETITION NO. _____/2026

Bhana Ram


Versus

State of Rajasthan through P.P. & Ors.

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**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR**

S.B. CRIMINAL WRIT PETITION NO. ____/2026

Bhana Ram

Versus

State of Rajasthan through P.F. & Ors.

SYNOPSIS

- The present Criminal Writ Petition under Article 226 of the Constitution of India has been preferred by the Petitioner, an elderly man aged about 57 years, seeking urgent protection of his life, liberty, dignity and that of his family members against unlawful assembly, intimidation, and threatened mob violence instigated by the private respondents. The petition invokes the extraordinary jurisdiction of this Hon'ble Court in light of an imminent and grave threat arising out of extra-judicial actions being undertaken against the Petitioner and his family.
- The genesis of the present case lies in FIR No. 703/2025 registered at Police Station Mathura Gate, Bharatpur, concerning an alleged unregulated deposit scheme operating through an online platform "XPO.ru." Notably, the Petitioner's son, Vijay Kumar @ Vijay Mourya, is not named in the FIR and investigation is pending against him, thereby clearly establishing that no incriminating material has been found against him during investigation.
- Despite the absence of any legal implication, the private respondents, relying solely on an uncorroborated custodial statement of a co-accused, have falsely projected the involvement of the Petitioner's son and have initiated a sustained campaign of harassment, intimidation and coercion against the Petitioner and his family members.

Such actions are wholly illegal, mala fide and amount to taking law into their own hands.

- It is submitted that the private respondents, along with their associates, have been repeatedly assembling in large numbers outside the Petitioner's residence, conducting organised dharnas and demonstrations with the intent to threaten and terrorise the family. These acts have created a severe atmosphere of fear, mental trauma and insecurity, particularly affecting the Petitioner who is an elderly woman living peacefully prior to these incidents.
- The situation has been further aggravated by a parallel media trial being conducted by the private respondents through social media platforms, including circulation of false and misleading content, emails, and videos, thereby inciting the public at large and provoking unlawful assemblies. Such acts not only tarnish the reputation of the Petitioner's family but also constitute a direct interference with the administration of justice.
- The urgency of the present petition arises from a specific and open call given by the private respondents for a mass assembly on 29.03.2026 at the Petitioner's village. In light of past conduct, including violent mob action and firing at the residence of another similarly placed individual on 18.03.2026, the apprehension of imminent violence is real, credible and substantiated.
- The failure of the State authorities to take preventive action, despite prior knowledge of such threats and incidents, reflects a serious dereliction of their constitutional duty under Article 21. The inaction of the police in not providing protection and even refusing to register complaints in related incidents demonstrates a breakdown of law and order, necessitating urgent judicial intervention.

- In these circumstances, the Petitioner has no efficacious alternative remedy and is constrained to approach this Hon'ble Court seeking immediate protection, restraint on unlawful assemblies, and directions to the State to uphold the rule of law. The present case raises serious concerns regarding mob justice, violation of fundamental rights, and the State's obligation to protect innocent citizens from targeted harassment and violence.
- Hence, this S.B. Criminal Writ Petition.

ADVOCATE FOR PETITIONER



MANOJ OJLA/AJAY POONIA

ADVOCATES

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Mob. 9829412123



1.

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

S.B. CRIMINAL WRIT PETITION NO. _____/2026

Bhana Ram S/o Late Shri Binva Ram, aged about 57 years, permanent resident of Village Bakhtawarpura, Tehsil Chirawa, District-Jhunjhunu, Rajasthan -- 333023, through its authorised signatory Shri Yogesh Kumar S/o Shri Om Prakash, aged about 36 years R/o Meghwal Basti, Ward No.5, Village Bakhtawarpura, Tehsil Chirawa, District-Jhunjhunu, Rajasthan - 333023.

...Petitioner

Versus

1. State of Rajasthan through the Public Prosecutor.
2. Superintendent of Police District Jhunjhunu, Rajasthan.
3. Station House Officer Police Station Bagar, District Jhunjhunu, Rajasthan.

.....Respondents

4. Mr. Madhav Ram (Ronu), R/o Avadh Fashion Flute, Mahadev Gali Chouraha, Lal Basti Road, Bayana, Bharatpur, Rajasthan - 321401
5. Mr. Lalit Kaura, R/o Ashok Nagar Salem Tabri, Near Jalandhar Bypass, Ludhiana, Punjab - 141008
6. Mr. Mahendra Singh S/o Bhawar Singh R/o Bara Kalan, Post-Baran khurd, Tehsil-Osiya, Jhodpur
7. Mr. Vikram Singh Rathore S/o Ram Singh Rathore R/o A-26, Kumawat Bari Govt School Ke Piche, Jaipur, Rajasthan, 302012
8. Vikram Singh S/o Yogesh Kumar R/o 36, Shankar Nagar, Near PF Office, Nandanwan, Jodhpur, Rajasthan. 342008

...Private-Respondents



S.B. CRIMINAL MISC. WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA READ WITH RULE 315(1)(H) OF THE RAJASTHAN HIGH COURT RULES, 1952 SEEKING PROTECTION OF LIFE, LIBERTY AND DIGNITY OF THE PETITIONER AND ENFORCEMENT OF FUNDAMENTAL RIGHTS UNDER ARTICLES 14 AND 21 OF THE CONSTITUTION OF INDIA AGAINST UNLAWFUL ASSEMBLY, INTIMIDATION AND THREATENED MASS MOB ACTION BY PRIVATE RESPONDENTS AND UNIDENTIFIED PERSONS ACTING AT THEIR INSTANCE.

To,

The Hon'ble Acting Chief Justice and His Other Companion Judges of the High Court of Judicature for Rajasthan at Jaipur Bench, Jaipur.

MAY IT PLEASE YOUR LORDSHIPS,

The humble Petitioner most respectfully begs to submit as under:

1. That the Petitioner, Bhana Ram, is a law-abiding citizen of India, aged about 57 years, and is a permanent resident of Village Bakhtawarpura, Tehsil Chirawa, District Jhunjhunu, Rajasthan. The Petitioner is a man of respectable background, having an unblemished character and good reputation in the society, and has always conducted himself in accordance with law. That the Petitioner is an elderly man, leading a simple and dignified life, and is primarily engaged in household and agricultural activities.

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2. That the present Writ Petition is being preferred by the Petitioner not only in her individual capacity but also in the capacity of an immediate family member of his son, namely Vijay Kumar @ Vijay Mourya, and for the protection of his entire family residing at the aforesaid address, who are directly affected by the unlawful acts complained of herein.
3. That the Petitioner's son, namely Vijay Kumar @ Vijay Mourya, is a citizen of India and a permanent resident of the above-mentioned address. However, he is presently residing in the United Arab Emirates since the year, 2024 for the purposes of employment. He is gainfully employed in a reputed commercial establishment and is residing there in accordance with the applicable laws governing foreign nationals.
4. That it is submitted that the cause of action in the present case directly affects the petitioner and all family members who are facing grave and imminent threats arising out of unlawful assembly, intimidation and mob action instigated by the private respondents. The Petitioner, being an affected person is therefore fully competent and entitled to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.
5. That the genesis of the present case lies in FIR No. 703/2025 dated 12.11.2025 registered at Police Station Mathura Gate, Bharatpur, wherein allegations have been made regarding an alleged online platform operating under the name "XPO.ru", which was purportedly offering investment schemes and financial returns to



members of the public. The said FIR names certain individuals who are alleged to have promoted the said schemes and invokes provisions of the Banning of Unregulated Deposit Schemes Act, 2019 and other allied enactments.

6. That the allegations in the FIR are to the effect that certain information was received by the authorities regarding a platform, namely "XPO.ru", operating through a website as well as a mobile application, which was allegedly being used to deceive members of the public by offering lucrative returns in the form of profits and bonuses. It is alleged that the said application contained schemes such as "Refer and Earn", "Weekly Interest", "Daily Interest", and other similar inducements. The FIR names nine individuals who are stated to be involved in promoting the aforesaid schemes to the public at large. It is further alleged that upon a preliminary inquiry, the said application was found to be neither registered with SEBI nor the RBI, nor covered under any regulated deposit scheme, and was therefore treated as an unregulated deposit scheme. Accordingly, the FIR came to be registered under Sections 3, 5, 21 and 23 of the Banning of Unregulated Deposit Schemes Act, 2019, along with certain provisions of the Prize Chits and Money Circulation Schemes (Banning) Act. It is respectfully submitted that the name of the Petitioner's son does not find mention in the said FIR at any stage. Copy of FIR No. 703/2025 dated 12.11.2025 is hereby marked and annexed as **Annexure-1**.
7. That the alleged implication of the Petitioner's son in the present case is based solely on the custodial statement of a co-accused

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persons, namely Mr. Ankit Agarwal and others, recorded during his police interrogation, which has no independent evidentiary value in the eyes of law. That there is no independent evidence, whether oral, documentary, or electronic, nor any statement of any witness, which connects the Petitioner's son with the alleged offences.

8. That upon completion of investigation, the police filed a charge-sheet dated 12.01.2026 against five accused persons and investigation against the petitioner's son has been kept pending. That the aforesaid fact clearly shows that matter against the petitioner's son is sub-judice.
9. That despite the aforesaid position, and notwithstanding the absence of any material implicating the Petitioner's son, Respondent Nos. 4 & 5, along with their associates and persons acting at their instance (private respondents), have unlawfully taken law into their own hands and have initiated a campaign of intimidation, coercion and public harassment against the Petitioner and his family members.
10. That it is submitted that despite the Petitioner's son not being named in the FIR and investigation is pending, private respondents, on the basis of unverified and legally inadmissible material, including alleged custodial statements of co-accused persons and self-generated narratives circulated through social media, have falsely presumed and projected the involvement of the Petitioner's son in the alleged transactions. Acting upon such baseless assumptions, the said Respondents have started





targeting the Petitioner's son and, in his absence, have directed their actions towards the Petitioner and his family members residing at the said address.

11. That private respondents, along with their associates, supporters, and persons acting at their instance and behest, have been unlawfully and illegally descending upon the residence of the Petitioner, situated at Village Bakhtawarpura, Tehsil Chirawa, District Jhunjhunu, Rajasthan, in large groups, assembling outside the said residence and conducting organised demonstrations and dharnas, with the clear and express purpose of coercing, intimidating, and terrorising the Petitioner and his family members into submission. That it is most respectfully submitted that the Petitioner is a 57-year-old elderly man, and such acts of intimidation, unlawful assembly, and continuous harassment have caused grave fear, mental agony, and insecurity to his, thereby seriously affecting his peaceful living and personal safety.
12. That the said unlawful assemblies, demonstrations and dharnas by private respondents and their associates have created and continue to create a grave and direct threat to the life, liberty and personal safety of the Petitioner and the members of his family, including women and children residing at the said premises. The said conduct has caused immense fear, terror, mental anguish, psychological trauma and distress to the Petitioner's family members who are innocent bystanders having no connection

7.
whatsoever with the subject matter of the pending criminal investigation.

13. That Respondent No. 4 to Respondent No. 8, in furtherance of their mala fide intentions, have been actively misusing various social media platforms and digital mediums, including circulating emails and operating YouTube channels, to disseminate false, misleading, and unverified information concerning the present matter. By portraying a distorted and one-sided narrative, they have sought to conduct a parallel media trial with the sole object of prejudicing the case and tarnishing the reputation of the Petitioner.
14. That through such orchestrated online campaigns, the said private respondents have been deliberately provoking and instigating large numbers of people to assemble and participate in demonstrations and dharnas against the Petitioner's House, despite the fact that the Petitioner's son has no role whatsoever in the alleged incident. The said acts amount to deliberate incitement, causing public unrest and targeting the Petitioner, who is an elderly man, thereby subjecting his to undue harassment, intimidation, and social vilification without any legal basis. The copy of the Social Media Messages and Emails being circulated are herewith and marked as **ANNEXURE-2(colly.)**.
15. That the presence of the unlawful assembly at the Petitioner's residence has created a severe and acute law and order situation in the locality. The life and property of the Petitioner and his family members are in clear and imminent danger. The said

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demonstrations and dharnas have been carried out in a threatening, aggressive and intimidatory manner, with persons raising slogans and making open and brazen threats against the Petitioner's Son, thereby disturbing the peace and tranquillity of the area and creating an atmosphere of fear and terror.

16. That the entire aforesaid conduct of private Respondents including respondent Nos. 4 & 5 is founded solely upon the statement of a single witness, namely the alleged custodial statement of Mr. Ankit Agarwal, on the basis of which the Petitioner has been sought to be implicated during investigation. That it is respectfully submitted that Respondent Nos. 4 & 5, without there being any independent inquiry, without any adjudication by a competent court of law, and in the absence of any finding of guilt by any lawful authority, have assumed unto themselves the role of judge and arbiter, and are seeking to portray the Petitioner as culpable in the eyes of the public.
17. That what renders the present Application one of extreme urgency is the imminent and grave threat arising from the conduct of private respondents, who have made a specific, public, and open call for a large number of persons to assemble at the Petitioner's village, i.e., Village Bakhtawarpura, Tehsil Chirawa, District Jhunjhunu, Rajasthan, on **29.03.2026**, which date is now fast approaching. That the said call for mass assembly, founded upon false and unsubstantiated allegations against the Petitioner's son, poses a serious and immediate threat to the life, liberty, and safety of the Petitioner, who is a 57-year-old elderly man, as well as his

family members. The apprehension of unlawful assembly, intimidation, and potential violence is real and imminent, thereby necessitating urgent intervention for protection in accordance with law.

18. That the announcement of a specific date - 29.03.2026 - for a mass assembly at the Petitioner's village, accompanied by active instigation and provocation of the public at large by private respondents, transforms what was already a grave and ongoing threat into an imminent, concrete and irreversible danger to the life, liberty, safety and property of the Petitioner and all members of his family.
19. That Respondent No. 5 has been actively and deliberately utilising WhatsApp groups as a medium to disseminate and circulate detailed information concerning the proposed dharna, including the specific date, time, venue, next place of Dharna and other logistical particulars of the assembly, with the clear intent of mobilising and instigating a large number of persons to participate therein. That such messages are being widely shared and forwarded, thereby facilitating organised gathering and contributing to the creation of an atmosphere of intimidation and pressure against the Petitioner and his family members. That a copy of the latest message circulated in the said WhatsApp group, clearly reflecting the aforesaid details, is annexed herewith and marked as **ANNEXURE-3**.
20. That the specific and open call to assemble on 29.03.2026, and the ongoing provocation and instigation of the public by private

(Signature)



respondents, has been made with full knowledge that: there has been no finding of guilt against the Petitioner's Son by any court of law; that the Petitioner's Son implication rests solely upon one uncorroborated custodial statement; and that the family members of the Petitioner, including women and children who are entirely innocent, reside at the said village and are exposed to the grave danger of mob violence.

21. That the conduct of private respondents in resorting to extra-constitutional methods and street justice, and in publicly announcing a mass agitation against the Petitioner to take place on 29.03.2026, constitutes a direct, premeditated and continuing interference with the administration of justice. Private respondents are thereby seeking to pressurise, coerce and intimidate the Petitioner and his family into abandoning his legitimate legal remedies before this Hon'ble Court, which is an affront to the very authority and dignity of this Hon'ble Court.
22. That the present petition further discloses an incident of extreme gravity which took place on 18.03.2026 which shows beyond all doubt the degree of violence, lawlessness and impunity with which Respondent Nos. 4 & 5 and persons acting at their instance are operating, and which makes the imminent threat to the Petitioner's village on 29.03.2026 a matter of the gravest constitutional concern.
23. That it is submitted that one Shri Rajat Sharma is an accused in FIR No.703/2025 and, like the Petitioner, is named therein solely on the basis of the same custodial statement of Mr. Ankit Agarwal.



24. That on 18.03.2026, Respondent Nos. 4 to 8, in active concert and in furtherance of their common intention, along with a large and unruly mob of persons acting at their instigation, provocation, and behest, unlawfully and in a highly violent, brazen, and criminal manner, descended upon and attacked the residence of the parents of Shri Rajat Sharma as well as the residence of his parents-in-law. The said mob, acting under the open instigation and leadership of Respondent Nos. 4 & 5, created a grave and alarming law and order situation at both locations, resorting to acts of intimidation, threats, and terror, thereby causing severe fear and distress to the elderly occupants, who are innocent civilians having no nexus whatsoever with the alleged dispute.
25. That the gravity of the situation is further aggravated by the fact that during the said incident on 18.03.2026, Respondent Nos. 4 & 5 and/or persons acting at their instance and under their influence, resorted to firing upon the residential premises of the parents of Shri Rajat Sharma. The act of opening fire upon a private residence inhabited by elderly and unconnected persons constitutes a serious cognisable offence and reflects a direct, violent, and potentially life-threatening assault upon innocent civilians.
26. That the aforesaid incident unequivocally shows that the persons being mobilised and incited by private respondents are not engaged in any peaceful or lawful protest, but are capable of resorting to extreme acts of violence, including use of firearms, thereby posing a serious and imminent threat to life, liberty, and



safety of innocent persons, including the present Petitioner, who is also an elderly man residing in the targeted locality.

27. That private respondents have been uploading videos on social media containing open, explicit and unambiguous death threats against the parents and family members of Shri Rajat Sharma, including statements to the effect that “they are coming to dig their grave”– a direct and unmistakable threat to the lives of the said persons. Such death threats, uploaded publicly on social media for all to see, are not merely criminal intimidation under the Bharatiya Nyaya Sanhita but constitute a grave and continuing violation of the fundamental right to life guaranteed under Article 21 of the Constitution of India. These publicly uploaded death threats are direct evidence of the premeditated and violent nature of the conduct of private respondents.
28. That the parents of Shri Rajat Sharma, faced with the violent mob assault, and explicit public death threats uploaded by Respondent Nos. 4 & 5 on social media, and finding no protection forthcoming from the State despite advance intimation to the concerned police authorities, were left with no option but to flee from their own residence.
29. That it is submitted with grave concern that despite the parents of Shri Rajat Sharma having given advance intimation to the concerned police authorities about the impending threat from the mob being incited by private respondents, the police completely and wholly failed to provide any protection whatsoever to the said persons. The police dereliction of duty in the face of a clearly





foreseeable and actually materialised threat to life and property constitutes a gross failure of the State's constitutional obligation under Article 21 to protect the lives of its citizens.

30. That moreover, and most alarmingly, when the parents of Shri Rajat Sharma approached the concerned police station to lodge a formal report/complaint in respect of the mob attack, the firing upon their residence and the death threats, the police station refused to accept or register their report/complaint.

31. That the aforesaid incident of 18.03.2026 is not an isolated occurrence but is part of a clear, deliberate and escalating pattern of violent mob action being systematically incited, organised and directed by private respondents against all persons, including the Petitioner and co-accused persons and their families. The progression from social media defamation to dharna and demonstration, to death threats on social media, to firing upon residential premises and forcing innocent persons to flee their homes, followed by the police refusal to register complaints, demonstrates a complete breakdown of the rule of law in the area and a chilling pattern of lawless escalation that is certain to culminate in even greater violence at the Petitioner's village on 29.03.2026 if this Hon'ble Court does not intervene.

GROUNDS

The present petition is founded upon the following grounds, which are submitted without prejudice to each other:

- I. Because The Article 21 of the Constitution of India guarantees to every person the right to life and personal liberty, which includes

Arora



the right to live with dignity, honour and self-respect – free from threat, fear and intimidation.

- II.** Because the unlawful assembly, dharna and demonstrations by private Respondents at the residence of the Petitioner, accompanied by threats and intimidation directed at the Petitioner and his family members, constitute a direct and grave violation of the fundamental right to life and personal liberty under Article 21. The right to personal liberty necessarily includes the right of every citizen and his family to live free from mob coercion, threat and intimidation at their own residence.
- III.** Because the family members of the Petitioner and his Son are innocent individuals who have no connection whatsoever with the subject matter of the pending criminal investigation. The Constitution does not countenance such irreversible injury at the hands of persons acting as self-appointed dispensers of extra-judicial justice.
- IV.** Because in the present case, even the alleged implication of the Petitioner's son is based solely upon an uncorroborated custodial statement of a co-accused, which is the weakest form of evidence known to criminal jurisprudence and carries no independent evidentiary value in the absence of corroboration. In such circumstances, private respondents have no legal, moral or constitutional authority to conduct dharnas or to threaten and intimidate the Petitioner and his family members on the basis of such unverified and legally insufficient material.

- V.** Because the Hon'ble Supreme Court has recognised the presumption of innocence as a human right under Article 21 of the Constitution. Courts are duty-bound, under their inherent jurisdiction, to protect the said presumption. In the present case, the conduct of private Respondents in organising dharnas and mob demonstrations against the Petitioner's family solely on the basis of a single witness statement against petitioner's son has irreparably destroyed the Petitioner's presumption of innocence in the minds of the public, without any court having rendered any finding against him.
- VI.** Because by resorting to physical coercion, mob demonstrations, dharnas and intimidation at the Petitioner's residence, the same are directly and deliberately interfering with the administration of justice and the due process of law.
- VII.** Because any act which tends to obstruct, interfere with, or prejudice the course of justice constitutes contempt of court within the meaning of Section 2(c) of the Contempt of Courts Act, 1971. The deliberate and organised by private Respondent through dharnas, demonstrations and mob assemblies, is squarely within the definition of criminal contempt as it has a tendency to interfere with the due course of justice.
- VIII.** Because the attempt by private Respondent to take law into their own hands and to deliver 'justice on the streets' in a matter that is sub-judice before this Hon'ble Court is an express and direct challenge to the authority, dignity and jurisdiction of this Hon'ble Court. The Hon'ble Supreme Court has consistently held that

trial by public agitation is the very antithesis of rule of law, and that the judiciary must be protected from external interferences that may at times appear overpowering.

IX. Because the dharnas and demonstrations conducted by the Private Respondents at the residence of the Petitioner (father of Vijay Kumar @ Vijay Mourya) have resulted in a grave and acute law and order situation in Village Bakhtawrpura. The unlawful assemblies pose a clear and imminent danger to the life, safety and property of the Petitioner and his family members, including his son. The State is under a positive and non-derogable constitutional obligation under Article 21 of the Constitution of India to ensure protection of life and property of its citizens against such unlawful mob action.

X. Because the failure, inaction and apathy of the State authorities in the face of such organised and deliberate acts of intimidation and mob assembly at the Petitioner's residence constitute a clear dereliction of their constitutional duty. It is well settled that the State has a positive obligation under Article 21 to protect the life and personal liberty of citizens, including the Petitioner and his family members, from threats emanating from private individuals and groups.

XI. Because the acts of the Private Respondents in organising and participating in unlawful assemblies and dharnas at the Petitioner's residence prima facie constitute cognisable offences under the Bharatiya Nyaya Sanhita, including offences relating to unlawful assembly, criminal intimidation, public nuisance and



disturbance of public peace, apart from amounting to serious civil and constitutional wrongs. Despite the existence of such overt and actionable criminal conduct, the State has failed to take any preventive or punitive measures, thereby compounding the violation of the fundamental rights of the Petitioner and his family members.

XII. Because the incident dated 18.03.2026 involving a mob attack and firing upon the residence of the parents of co-accused Shri Rajat Sharma demonstrates the extreme level of violence being incited and carried out by the Private Respondents and their associates. The said act, directed against innocent elderly persons, constitutes serious cognisable offences and reflects a direct threat to life and safety under Article 21 of the Constitution.

XIII. Because despite prior information regarding the threat, the State authorities failed to prevent the incident and further refused to register a complaint thereafter. Such inaction is contrary to the settled law laid down in *Lalita Kumari v. Government of U.P.* (2014) 2 SCC 1, which mandates registration of FIR in cases disclosing cognisable offences, and amounts to a clear failure of statutory and constitutional duty.

XIV. Because the sequence of events, including threats, mob assembly and acts of violence, reveals a pattern of organised intimidation by the Private Respondents against persons connected with the case. This creates a reasonable and imminent apprehension that



similar or more serious violence may be repeated at the Petitioner's residence.

- XV.** Because in these circumstances, it is imperative for this Hon'ble Court to issue appropriate directions to the State to take immediate preventive and protective measures, including ensuring police protection and preventing any unlawful assembly, so as to safeguard the life and liberty of the Petitioner and his family members
- XVI.** Because the present petition is marked by extreme urgency. The Private Respondents have made a public call for a mass assembly at the Petitioner's village on 29.03.2026 and are actively inciting persons through social media to gather at the Petitioner's residence. In view of their past conduct, including the incident dated 18.03.2026 involving mob violence and firing, the threat is real, imminent and not merely apprehended.
- XVII.** Because the publicly announced dharna and mass assembly at the Petitioner's village on 29.03.2026, as instigated by the Private Respondents, is not a peaceful or lawful protest but a targeted and coercive gathering aimed at intimidating the Petitioner and his family members, thereby infringing their fundamental rights under Article 21 of the Constitution.
- XVIII.** Because the Petitioner (father of Vijay Kumar @ Vijay Mourya) and his family members are facing a grave and immediate threat to their life and personal liberty. The harm likely to be caused is irreparable in nature and cannot be compensated in any manner if timely protection is not granted.



- XIX.** Because the call for a mass assembly at the residence of a private individual, particularly an elderly woman, amounts to an abuse of the right to protest and is in the nature of targeted harassment, which is impermissible in law and contrary to settled constitutional principles.
- XX.** Because the conduct of the Private Respondents in mobilising crowds through social media and public calls demonstrates a deliberate attempt to bypass the legal process and to exert extra-judicial pressure upon the Petitioner and his family, which strikes at the very foundation of the rule of law.
- XXI.** Because the proposed dharna, in the facts of the present case, poses a clear and imminent threat to public order and tranquillity in the locality, and the State is constitutionally bound to prevent such unlawful assemblies in order to safeguard the life and liberty of its citizens.
- XXII.** Because in light of the prior incident dated 18.03.2026 involving mob violence and firing, the apprehension of escalation into serious violence on 29.03.2026 is reasonable, credible and requires immediate preventive intervention by this Hon'ble Court.
- XXIII.** Because the right to reputation is an integral facet of Article 21 of the Constitution of India. The acts of the Private Respondents in publicly branding the Petitioner's son as culpable through social media campaigns, dharnas and public allegations, without any adjudication by a competent court of law, amount to a direct violation of the Petitioner's and his family's right to reputation and dignity.

Next —



- XXIV.** Because the actions of the Private Respondents in organising mob gatherings, issuing threats and attempting to enforce their own version of justice amount to a complete breakdown of the rule of law. In a constitutional democracy, adjudication of guilt lies exclusively within the domain of courts, and any attempt by private individuals to administer "street justice" is unconstitutional and impermissible.
- XXV.** Because the deliberate targeting of the Petitioner's residence by way of repeated assemblies, demonstrations and intimidation violates the right to privacy and peaceful enjoyment of one's home, which is a recognised facet of Article 21 as held in *K.S. Puttaswamy v. Union of India*. No citizen can be subjected to siege-like conditions at their residence by private individuals.
- XXVI.** Because the State authorities have failed to exercise their preventive powers to maintain law and order and to avert a foreseeable threat. Where there exists a clear and imminent apprehension of breach of peace, the police are duty-bound to take preventive measures, and failure to do so renders the State liable for violation of fundamental rights.
- XXVII.** Because the acts of intimidation, public pressure and threatened mob action are intended to deter the Petitioner and his family from pursuing their legal remedies before this Hon'ble Court. Such conduct creates a chilling effect on access to justice and undermines the constitutional guarantee of fair legal process.

32. That the Petitioner has no adequate, alternative and efficacious remedy available under the law except to approach this Hon'ble Court under Article 226 of the Constitution of India.
33. That since presently the Petitioner is an aged person, this Application is being signed by his authorised signatory Yogesh Kumar on his behalf.

PRAYER

It is, therefore, most humbly prayed that Your Lordships may be pleased to allow this criminal writ petition and be pleased to:

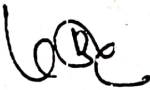
- a. Direct the Respondent no. 1 to 3, to provide police protection to the life and liberty of the petitioner and his family members from private respondents and other unidentified miscreants who are associated with the private respondents from any act of intimidation, coercion, threat, assault, dharna, demonstration or unlawful assembly; and
- b. Restrain Private Respondents, their associates, supporters and all persons acting on their behalf or at their instance, from in any manner conducting, organising, instigating, provoking, inciting or participating in any assembly, dharna, demonstration, march or agitation at Village Bakhtawarpura, Tehsil Chirawa, District- Jhunjhunu, Rajasthan, on 29.03.2026 or on any other date;
- c. Direct the respondent no.1 to 3 to prevent any unlawful assembly or dharna at the said village on the said date or thereafter, and to provide continuous police protection to the Petitioner's residence and his family members; and

- d. Restrain Private Respondents from in any manner posting, publishing, broadcasting or circulating any content on YouTube, Telegram, Instagram, WhatsApp or any other social media platform or medium provoking, instigating, inciting or calling upon any person to assemble at the Petitioner's village or residence or to take any action against the Petitioner or his family members;
- e. Restrain Private Respondents and their associates from approaching, contacting, threatening, intimidating or in any manner interfering with the Petitioner, his family members, relatives or associates, whether physically, through social media, or through any other means;

Pass any other order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interests of justice.

THROUGH COUNSELS


HUMBLE PETITIONER


MANOJ OJLA/AJAY POONIA

ADVOCATES

Email : adv.manojojla@gmail.com
Mob. 9829412123

Notes:

1. That no such Writ petition has been filed in this connection before this Hon'ble Court or before Hon'ble Supreme Court of India prior to it.
2. PF, notices and extra sets will be filed in time.
3. Pie papers are not readily available, hence stout papers have been used.
4. It has been typed by my private Steno, who is not the employee of this court.


Advocate(s)

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

S.B. CRIMINAL WRIT PETITION NO. _____/2026

Bhana Ram

Versus

State of Rajasthan through P.P. & Ors.

AFFIDAVIT IN SUPPORT OF WRIT PETITION

I, Yogesh Kumar S/o Shri Om Prakash, aged about 36 years R/o Meghwal Basti, Ward No.5, Village Bakhtawarpura, Tehsil Chirawa, District-Jhunjhunu, Rajasthan - 333023, do hereby take oath and state as under:


1. That I am the signing authority on behalf of the Petitioner in the above-noted case and as such am well conversant with the facts and circumstances of the case.
2. That the annexed writ petition has been drafted under my instruction by my counsel and the contents thereof have been read over and explained to me in vernacular, and I have understood the same.
3. That the contents of the annexed writ petition are true and correct to my personal knowledge and belief.



DEPONENT

VERIFICATION

I, the above-named deponent, do hereby verify on oath that the contents of my above affidavit from para no. 1 to 3 are true and correct to my personal knowledge. Nothing material has been concealed therein and no part of it is false. So help me God.



**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR
S. B. CRIMINAL MISC. STAY APPLICATION NO. _____/2026
IN**

S.B. CRIMINAL WRIT PETITION NO. _____/2026

Bhana Ram W/o Late Shri Binva Ram, aged about 57 years, permanent resident of Village Bakhtawarpura, Tehsil Chirawa, District-Jhunjhunu, Rajasthan - 333023, through its authorised signatory Yogesh Kumar S/o Shri Hukmi Ram, aged about 41 years R/o Ward No.4, Village Bakhtawarpura, Tehsil Chirawa, Tehsil-Surajgarh, District-Jhunjhunu, Rajasthan - 333023.

...Petitioner

Versus

1. State of Rajasthan through the Public Prosecutor.
2. Superintendent of Police District Jhunjhunu, Rajasthan.
3. Station House Officer Police Station Bagar, District Jhunjhunu, Rajasthan.

.....Respondents

4. Mr. Madhav Ram (Ronu), R/o Avadh Fashion Flute, Mahadev Gali Chouraha, Lal Basti Road, Bayana, Bharatpur, Rajasthan - 321401
5. Mr. Lalit Kaura, R/o Ashok Nagar Salem Tabri, Near Jalandhar Bypass, Ludhiana, Punjab - 141008
6. Mr. Mahendra Singh S/o Bhawar Singh R/o Bara Kalan, Post-Baran khurd, Tehsil-Osiya, Jhodpur
7. Mr. Vikram Singh Rathore S/o Ram Singh Rathore R/o A-26, Krimawat Bari Govt School Ke Piche, Jaipur, Rajasthan, 302012
8. Vikram Singh S/o Yogesh Kumar R/o 36, Shankar Nagar, Near PF Office, Nandanwan, Jodhpur, Rajasthan, 342008

...Private-Respondents

**S.B. CRIMINAL MISC. STAY APPLICATION UNDER
ARTICLE 226 OF THE CONSTITUTION OF INDIA, 1950.**

To,

Hon'ble Acting Chief Justice and his other companion Judges of
the High Court of Judicature for Rajasthan, Jaipur Bench at
Jaipur.

MAY IT PLEASE YOUR LORDSHIPS:-

The humble Applicants/Petitioners, above named most
respectfully submit stay application as under:-

1. That the petitioner has this day filed above titled criminal writ
petition based on strong cogent grounds and has every hope of
success in the same.
2. That for brevity the contents of the Criminal Writ petition may
kindly be treated to be part and parcel of the present stay
application and based thereon it is clearly proved that the
petitioners have strong prima-facie case in his favour.
3. That in case if the stay prayed for is not granted the petitioners
would suffer irreparable loss as their life would be in danger.

PRAYER

It is, therefore, prayed that your lordships may very graciously
be pleased to accept this stay application and may be further
pleased to:

- a. Direct Respondent Nos. 1 to 3 to forthwith provide immediate
and effective police protection to the life, liberty and safety of

the Petitioner and his family members from the Private Respondents and all persons acting at their instance; and

- b.** Restrain the Private Respondents, their associates and all persons acting at their instance from organising, instigating, inciting or participating in any unlawful assembly, dharna, demonstration or agitation at or near the residence/village of the Petitioners, particularly in relation to the proposed assembly dated 29.03.2026, during the pendency of the present writ petition; and
- c.** Direct Respondent Nos. 1 to 3 to take all necessary preventive measures to maintain law and order and to ensure that no unlawful assembly or breach of peace takes place at the Petitioners' residence or village; and
- d.** Restrain the Private Respondents, their associates and all persons acting at their instance from posting, publishing, circulating or broadcasting any content on social media or other digital platforms which is defamatory in nature or which incites, provokes or calls for unlawful assembly, intimidation or any action against the Petitioners and their family members, during the pendency of the present writ petition.

Any other order which this Hon'ble Court may deem fit in the facts and circumstances of the present case may kindly be passed in favour of the petitioners.

PLACE:

DATE:



THROUGH COUNSELS **HUMBLE PETITIONER**



**MANOJ OJLA/AJAY POONIA
ADVOCATES**

Email : adv.manojojla@gmail.com
Mob. 9829412123

Notes:-

1. That no such stay application has been filed earlier.
2. P.F. notices and extra sets will be filed within stipulated time period given by the Hon'ble Court.
3. It has been typed by my private steno who is not an employee of High Court.
4. That since pie papers are not available, therefore the same has been typed on stout papers.



COUNSEL FOR THE PETITIONERS

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH, JAIPUR

S. B. CRIMINAL MISC. STAY APPLICATION NO. _____/2026

IN

S.B. CRIMINAL WRIT PETITION NO. _____/2026

Bhana Ram

Versus

State of Rajasthan through P.P. & Ors.


AFFIDAVIT IN SUPPORT OF STAY APPLICATION

I, Yogesh Kumar S/o Shri Om Prakash, aged about 36 years R/o Meghwal Basti, Ward No.5, Village Bakhtawarpura, Tehsil Chirawa, District-Jhunjhunu, Rajasthan - 333023, do hereby take oath and state as under:

1. That I am the signing authority on behalf of the Petitioner in the above-noted case and as such am well conversant with the facts and circumstances of the case.
2. That the stay application within the writ petition has been drafted by my counsel in my presence and under my instructions.
3. That the factual contents of the stay application are true and correct to the best of my knowledge and legal averments made in the writ petition are based on the legal advice tendered to me by my counsel, which I also believe to be true and correct.


DEPONENT

VERIFICATION

 I, the above named deponent do hereby take oath and verify that the contents of Para Nos. 1 to 3 of my above affidavit are true and correct to the best of my personal knowledge. Nothing has been concealed and no part of it is false. So help me GOD.


DEPONENT