

U; k; ky; ftyk dyDVj]Hkjri g ¼jkt0½

vi hy@j l n@2@2017

jktlnz fl g mfpr eW; nðkunkj xte ipk; r Hknhjk rgl hy uncbZ ftyk Hkjri g

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ftyk j l n vf/kdkjh] ¼}rh; ½ Hkjri g

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vi hy fo#} vkn'sk ftyk j l n vf/kdkjh Hkjri g fnukad 07&12&2016
i d j . k l a ; k 62@16

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1&विमल सिंह ऐडवोकेट अभिभाषक अपीलार्थी

2& iDrU vf/kdkjh] i s kdkj j l n

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fnukad 4-7-2019

vi hykUV us ; g vi hy rgr U; k; ky; }kjk i kfjr vkn'sk fnukad 07&12&2016 fof/k ds i k dfrd U; k; ds u s f x d fl) kUrka ds f[kykQ i s k dh x b Z gA U; k; ky; }kjk vkn'sk ds vkjki l a ; k , d ea vi hykA/ }kjk vk/kkj l a ; k 358135983069 l s 237 o 732476917151 l s 42 dgy 279 VratD"ku dks vyx&vyx jk' kudkMka ea i kf/kdr vf/kdkjh dh vkbZMh dk voSk : i l s nq l ; kx d j r s gq t k M s t k u s d k v k j k i l j k l j x y r o f u j k / k k j g S D ; k f d u k g h r k s v i h y k A / d k s i k d e " k h u p y k u s d s m D r i k f / k d r v f / k d k j h d h v k b Z M h - d h v k o ' ; d r k g k r h g S , o a u k g h i k d e ' k h u l s m D r i k f / k d r v f / k d k j h d h v k b Z M h d k r d u h d h : i l s n q l ; k x f d ; k t k u k s m m b h v h e . t h h t n y a y a l y k e a d e s h m e n y h b h i s p s h t n h i i h e k i u k t p a f / k d k j h d k s u g S m l d k i n u k e ; k v f / k d k f j r k o m l d s } k j k m l d h v k b Z M h d k m i ; k x f d l L r j i j o f d l d k ; l d s l i e h o t a h e a d i k e b a r e m e n k u c h b h i s p s h t n h i i k i y a h e j i s s e k i a p i l a n t a p n a b c a v s h i i d k j l s u g h a d j i k ; k g S r F k k v i h y k A / f d l L r j l s m l d h v k b D M h O d k m i ; k x d j u s d s f y ; s l E c) g S v k f n d s c k j s e a d N H k h f o L r k j l s o f . k r u g h a d j v i h y k A / d k s m l d s c p k o d j u s d s f o f / k d v f / k d k j k a l s o f i p r d j t k s t s v i h y k / k h u v k n ' s k i k f j r f d ; k g S d k f c y s [k k f j t j g r k g A r g r U ; k ; k y ; } k j k i k f j r v k n ' s k e a v i h y k A / } k j k i k d e " k h u i j m D r v k / k k j v k b D M h O l a ; k l s v y x & v y x j k ' k u d k M k a e a t k M u s d s i ' p k r v k / k k j d k M Z / k k j d k a d h l g k ; r k l s

ist 1@3

muds ck; kesVd igpku fplg dk mi ; kx djrs gq 38-85 fDow/y xgw o 632 yhVj dSkd hu
dk nq i ; kx djus dk tks vkjki yxk; k gS l jkl j xyr o fujk/kkj gS D; kfid vihykA/ }kjk
jk'ku l kfexh dk forj .k jkT; l jdkj ds fn'kk funz kka ds vuq kj i wkr; % ikd e'khu ds
tfj; sfd; k tk jgk Fkk rFkk vihykA/ ds ikd tks ikd e'khu gS ml ea vihykA/ vius Lrj l s
fdl h idkj l s dkbz gS kQjh ; k NMNkM ugha fd tk l drh gS , oa mDr ikd e'khu ea vihykA/
ds Lrj ij vl; fdl h vk/kkj dkmZ dks gvkdj fdl h vl; jk'kudkmZ l s tkMk tku l Hko ugha
gS ukgh vihykA/ ds ikd miyc/k ikd e'khu l s , d ckj ea , d vk/kkj dkmZ l a[; k l s brus
vf/kd VkatD'ku fd; s tk l drs gS vSj ukgh vihykA/ }kjk mDr vk/kkj dkmZ l s brus vf/kd
VkatD'ku dj fdl h Hkh idkj l s fdl h Hkh l kexh dk nq i ; kx fd; k gA vihykV }kjk l Hkh
mi HkDrkva dks jk'ku l kfexh dk forj .k fu/kkFjr eki n. Mka ds vuq kj gh fd; k tkrk jgk gA
vr% mDr fujk/kkj vkjki ds vk/kkj ij vihykA/ ds ykbZ d dks fujLr djus dk vkn's'k dkfcys
खारिज रहता है। न्यायिक दृष्टि से कोई भी कानून तब लागू होता है जबकि तथ्यात्मक आरोप
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07-12-2016 dks fujLr Qjek; k tkos D; kfid vihykA/ Mhyj }kjk jktLFkku [kk | klu , oa vl;
vko' ; d inkFkZ %forj .k dk fofu; eu% vkn's'k 1976 ds rgr tkjh ikf/kdkj i = dh 'krZ l a[; k
2]11]15 o 17 l h dk fdl h Hkh idkj l s dkbz mya'ku ugha fd; k gA vr% Jh eku- l s ikFkZuk gS
fd mDr tSj vihyk/khu vkn's'k dks fujLr dj vihykA/ ds ykbZ d dks cgky fd; k tkoA

vihy ntZjftLVj dj jLi ks , oa i =koyh rgr ryc dh xbA

vihykUV vfHkHk'kd miFLFkr ugha dbz ckj vkokt yxokbz xbZ vihykUV ; k ml ds
vfHkHk'kd miFLFkr ugha vk; s , oa i nZ ea Hkh dbz ckj cgl grq eksdk fn; k tk pdk gS yfdu
miFLFkr ugha vk; A jLi ks iS kdkj jln bZvks dh cgl bdrjOk ea l qh xbA

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vfdr dj 38-85 fDow/y xgw o 632 yhVj dSkd hu dk dWjfr forj .k ikd e'khu l s n'kkz; k
tkdj nq i ; kx fd; k x; k gA Mhyj }kjk jktLFkku [kk | klu , oa vl; vko' ; d inkFkZ %forj .k
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l gh ikfjr fd; k x; k gA vihy [kkfj t fd; s tkus dh ikFkZuk dh xbA

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x; kA vihykUV ; k ml ds odhy dk miFLFr ugha vkuk ; g tkfgj djrk gS fd mu
ij yxk; s x; s vkjki ka ds l Ecl/k ea mlga dN ugh dguk gA

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l a[; k 'krZ l a[; k 2]11]15 o 17 l h dk mYyaku fd; k x; k gA rgr U; k ky; }kjk mfpr
fu.kZ ikfjr fd; k x; k gA vLrq vihy dkfcy [kkfjt ds jgrh gA

mi jkDr foopukud kj vihy vihykUV [kkfjt dh tkrh gA fu.kZ ifr ds l kFk rgr
i=koyh okfil ftyk jln vf/kdkjh Hkjri g dks yk/kbz tkoA

fu.kZ vkt fnukd 4-7-2019 dks l uk; k x; k A



(डॉ. आरुषी मलिक)
जिला कलक्टर
भरतपुर

सत्यमेव जयते

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