

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc(Pet.) No. 1066/2026

Anjali Bhattacharya W/o Late Shri Apurv Bhattacharya, Aged About 68 Years, Resident Of Bindu Bhawan, 49 Shastri Marg, Ashok Nagar Main Road, Udaipur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Savita Bhattacharya W/o Late Shri Gautam Bhattacharya, R/o. 8, Siddharth Enclave, Ashram Chowk, New Delhi

-----Respondents

For Petitioner(s) : Mr. Hemant Ballani

For Respondent(s) : Mr. Vikram Singh Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

13/02/2026

Counsel for the petitioner submits that application filed in civil suit by the complainant for taking possession through police was rejected vide order dated 14.01.2026, which is placed on record as Annex.9. Counsel submits that now, on the same facts effort is being made to take possession by way of filing the present FIR.

This Court has considered the order dated 14.01.2026 as well as the FIR. The FIR also states that the gates be opened and possession be handed-over.

In view of the same, this Court is inclined to interfere.



Issue notice.

Learned Public Prosecutor accepts notice on behalf of respondent-State. Notice, thus, is required to be issued to respondent no.2 only, returnable within a period of four weeks.

The Police Authorities are necessarily bound by the order of the civil court dated 14.01.2026 and shall not any action contrary to the same.

(BALJINDER SINGH SANDHU),J

207-Sanjay/-