

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

S.B. Criminal Misc(Pet.) No. 1628/2024

Mohd. Hanif S/o Kadar Khan, Aged About 80 Years, B/c
Musalman, R/o Nachna, Tehsil Pokran, Dist. Jaisalmer (Raj.)

----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Najarband S/o Shri Talab Khan, B/c Musalman, R/o
Nachna, P.s. Nachna, Tehsil And Dist. Jaisalmer (Raj.)

----Respondents

For Petitioner(s) : Mr. Sumer Singh Rathore.

For Respondent(s) : Mr. Vikram Sharma, PP.

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

15/05/2024

Learned counsel for the petitioner submitted that a purely civil dispute between the parties has been given the colour of criminal offence.

The matter requires consideration.

Issue notice. Learned Public Prosecutor accepts notice on behalf of respondent No.1- State. Thus, notice be issued to respondent No.2 only, returnable on 23.07.2024.

In the meanwhile and till next date of hearing, the petitioner shall not be arrested in connection with FIR No.03/2022 registered at Police Station Nokh, District Jaisalmer for the offences under Sections 420, 467, 468, 471 and 120B IPC.

However, the petitioner is directed to appear before the Investigating Officer on 10.06.2024 at 11.30 am. with all requisite documents.

Learned Public Prosecutor is directed to procure the factual report on the next date of hearing.

List the matter on 23.07.2024.

(KULDEEP MATHUR),J