

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

S.B. Criminal Misc(Pet.) No. 2287/2026

Laxmi Narayan Joshi S/o Ramakrishan Joshi, Aged About 50
Years, Resident Of Ward No.16. Luharon Ki Gali, Anupgarh, Tehsil
District- Anupgarh Rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Firm Vinayak Trading Company, Police Station Road Purani
Mandi, Anupgarh Through Proprietor And Owner Praveen
Kumar S/o Mahaveer Prasad, By Caste- Maheshwari,
Resident Of 3 Str, Nai Mandi Gharsana, District- Sri
Ganganagar Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Ratish Bhatnagar
For Respondent(s)	:	Mr. Ramesh Dewasi, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

25/03/2026

The present criminal misc. petition under Section 528 of BNSS against the order dated 11.02.2026 passed by learned Additional Sessions Judge, Anupgarh in Criminal Revision No. 10/2026 whereby the revision filed by the petitioner against the order dated 03.05.2025 passed by learned Additional Chief Judicial Magistrate, Anupgarh whereby the application filed by the petitioner-accused under Section 91 Cr.P.C has been rejected.

Learned counsel for the petitioner submits that the said application of the petitioner was with regard to summoning all the four bank accounts of the firm of the complainant. It is stated that in the ordinary course of business he has made all the payments,

therefore, there was no amount due and hence the same would be clarified by bringing on record the documents which would be necessary for proper adjudication of the case.

Taking the arguments on the face value, the application of the petitioner seems to be for adjustment of the accounts in the proceedings initiated under Section 138 N.I. Act. The proceedings under Section 138 of N.I. Act cannot be converted into Suit for Rendition of accounts.

The proceedings under Section 138 of N.I. Act are to be adjudicated within the scope of Negotiable Instruments Act, 1881 and hence, looking to this aspect of the matter, the application of the petitioner was absolutely misconceived and no such applicant certainly could have been allowed for making a roving and fishing enquiry into the accounts of the complainants and for settling their accounts.

The learned trial Court has considered the matter at length and on this basis has found that the said accounts are certainly not relevant nor any relevancy was shown by the applicant, and hence the application was dismissed by the order impugned.

In view of the thereof, this court is not inclined to interfere in the matter, hence the present criminal misc. petition is dismissed.

Stay petition is also dismissed.

(BALJINDER SINGH SANDHU),J