

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

S.B. Criminal Misc(Pet.) No. 2352/2026

Padam Sarawagi, Aged About 76 Years, Branch Manager
Sanjeevani Credit Cooperative Society Ltd Age 76 Years Branch
Office Jai Ambe Tower Shyam Ki Sabzi Mandi Near Pani Ki Tanki
Bhilwara

----Petitioner

Versus

1. Smt Manju Atal W/o Shri Satyanarayan Atal, Aged About 59 Years, Atal Bhavan Shiv Mandir Gali Ramdwara Road Manikya Nagar Bhilwara Complainant
2. Sanjeevani Credit Cooperative Society Limited, Through The Managing Director Vikram Singh S/o Shri Chhug Singh Address- Head Office Near Vishwakarma Circle In Front Of Birla School Rai Colony Barmer Second Address Zonal Office 181-182 Near Rajasthan Patrika Office Manji Ka Hatta Pavta Jodhpur District Jodhpur Raj. Third Address Central Office 169 Umed Heritage Ratanada Defence Lab Road Jodhpur Raj.
3. Vikram Singh S/o Shri Chhug Singh, Indroi Tehsil Ramsar Barmer District Rajasthan
4. Ganpat Singh, Zonal Manager Sanjeevani Credit Cooperative Society Limited Current Address Near Vishwakarma Circle In Front Of Birla School Rai Colony Barmer District Barmer Rajasthan
5. Amarjeet Singh, Branch Manager Sanjeevani Credit Cooperative Society Ltd Address Branch Office Jai Ambe Tower Shaam Ji Ki Sabzi Mandi Near Water Tank Bhilwara
6. Devi Lal Teli, Zonal Executive Manager Address Branch Office Jai Ambe Tower Shaam Ji Ki Sabzi Mandi Near Water Tank Bhilwara

----Respondents

For Petitioner(s) : Mr. Vinay Jain

For Respondent(s) : Mr. VS Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

25/03/2026

Learned counsel for the petitioner submits that in the proceedings initiated under Section 138 of N.I. Act, an alleged cheque was issued by the head office of the respondent No.2-

Sanjeevani Credit Cooperative Society Limited, which bears the signatures of the authorized person. He submits that the petitioner was a Branch Manager at Bhilwara, and therefore, has not issued the said cheque. In view thereof, it is submitted that no case against him in offence under Section 138 is attracted in the present case and no complaint against him is maintainable.

Learned counsel for the petitioner has placed reliance upon the judgment passed by the Hon'ble Supreme Court in the case of ***K.S. Mehta Vs. Morgan Securities And Credits Private Limited*** reported in ***(2025) 7 SCC 615***.

Having heard and considered the submissions made by the learned counsel for the petitioner, this Court has gone through the complaint as well as the other documents placed on record. It is observed that the petitioner was a Branch Manager at Bhilwara and the said cheque in question had not been issued by him and nor it has been alleged in the FIR in any manner that he was in-charge/responsible for conduct of the business of the society or issuance of the cheques.

In view thereof, this Court is inclined to interfere in the matter.

Issue notice to respondents.

In the meanwhile, further proceedings in connection with Criminal Case No.942/2021 pending before the Special Judicial Magistrate No.3, N.I. Act, Bhilwara shall remain stayed, qua the petitioner.

(BALJINDER SINGH SANDHU),J