

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

S.B. Criminal Misc(Pet.) No. 2362/2026

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

-----Petitioner

Versus

1. Manju Atal W/o Shri Satyanarayan Atal, Aged About 59 Years, Atal Bhavan, Shiv Mandir Gali, Ramdwara Road, Manikya Nagar, Bhilwara.
2. Sanjeevani Credit Cooperative Society Limited Through The Managing Director Vikram Singh S/o Shri Chhug Singh, Head Office, Near Vishwakarma Circle, In Front Of Birla School, Rai Colony, Barmer. Second Address- Zonal Office 181-182, Near Raj. Patrika Office, Manji Ka Hatta Pavta, Jodhpur Distt., Jodhpur (Raj.) Third Address- Central Office 169, Umed Heritage, Ratanada, Defence Lab Road, Jodhpur.
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. Darshan Jain

For Respondent(s) : -----

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

27/03/2026

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.944/2021 pending before the Special Judicial



[CRLMP-2362/2026]

Magistrate No.1, N.I. Act, Bhilwara shall remain stayed, qua the petitioner.

(BALJINDER SINGH SANDHU),J

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