

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

S.B. Criminal Misc(Pet.) No. 2518/2026

1. Jiyaul Rehman S/o Kamaluddin Neelgar, Aged About 52 Years, Resident Of Adhyaksh Kidwai Nagar, Grahnirmal Samiti, District Chittorgarh Raj..
2. Khalil Mohammad S/o Hasan Bkashneelgar, Aged About 70 Years, Resdient Of Nabtri, Kidwainagar, Grahnirman Samiti, District Chittorgarh Raj.

----Petitioners

Versus

1. State Of Rajasthan, Pp
2. Rahul Pancholi S/o Suresh Pancholi, Resident Of 90 A6 , Kumbhanagar Sadar Chittorgarh, District Chittorgarh Raj..

----Respondents

For Petitioner(s) : Mr. Zeeshan Ali
Mr. Aslam Khan

For Respondent(s) : Mr. V.S. Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

28/03/2026

Learned counsel for the petitioners submits that the present matter relates to the allotment of piece of land to the petitioners and the complainant seeks easementary rights upon the same. For which they have already filed a civil suit before the learned Civil Judge, Chittorgarh in the year 2025.

It is further contended that the present FIR registered in relation to the alleged incident, which is nothing but an attempt to give a criminal colour to a civil litigation.

Having considered the submissions advanced and upon perusal of the material available on record, this Court is of the

prima facie view that the matter appears to be predominantly civil in nature.

Issue notice, returnable within a period of four weeks.

Learned Public Prosecutor accepts notice on behalf of the respondent No.1-State.

Thus, notice be issued to respondent No.2 only.

In the meanwhile, the petitioners shall not be arrested in connection with FIR No.74/2026 registered at P.S. Chittorgarh, District Chittorgarh.

(BALJINDER SINGH SANDHU),J