

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

S.B. Criminal Misc(Pet.) No. 4207/2024

1. Aashish Bajaj @ Aashu @ Harish S/o Shri Bhagwan Das, Aged About 42 Years, R/o Surya Nagar Street No.1, Ward No.26, Hanumangarh Town, District Hanumangarh (Rajasthan)
2. Lalit Bajaj S/o Shri Bhagwan Das, Aged About 38 Years, R/o Ward No. 22, Sindhi Mohalla, Hanumangarh Town, District Hanumangarh (Rajasthan)

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Neetu Devi Amarmani W/o Shri Narayan Das, R/o 91-C, Pursarthi Nagar, Kotwali Pali, District Pali (Rajasthan)

-----Respondents

For Petitioner(s)	:	Mr. Yogendra Arna for Mr. Trilok Joshi
For Respondent(s)	:	Mr. Gaurav Singh, PP

HON'BLE MR. JUSTICE ARUN MONGA

Order

04/07/2024

1. Counsel for the petitioners inter-alia contends that the petitioners and the complainant are well-known to each other and are also distantly related and owing to the mutual confidence, petitioners merely acted in an advisory capacity to guide the complainant to make her investments in the real estate.
2. Counsel would further urge that no doubt monies were advanced to the petitioners at the relevant time but the same were utilized to purchase properties in the name of the complainant as per her instructions.

3. He submits that the relevant sale-deeds of the properties so purchased are also in possession of the complainant and at no stage, there was any misappropriation of money advanced to the petitioners.

4. He would further submit that merely because the price escalation of the properties were not to the expectation of the complainant, she has filed the FIR in question in complete abuse of the provisions of the law to put collateral pressure on the petitioners to compensate her owing to the speculative losses suffered by her.

5. He would further submit that in reality, she had suffered no losses as the worth of the property is still more than that the petitioner had invested.

6. Issue notice.

7. Mr. Gaurav Singh, learned Public Prosecutor accepts notice on behalf of respondent No.1-State. Let notice be issued to respondent No.2.

8. Meanwhile, no coercive steps shall be taken against the petitioners qua the FIR in question.

(ARUN MONGA),J