

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

S.B. Criminal Miscellaneous (Petition) No. 4473/2026

CNR: RJHC010518792026

URN: CRLMP / 8156U / 2026

1. Chokka Raju Sreekant Raju S/o Shri Chokkaraju Gopalakrishna Raju, Aged About 59 Years, Resident Of Plot No. 95-95, Flat No. 102, Dr. Lakshmi Nilayam, Navodaya Colony, Kukatpally, Hyderabad, Talangana-500072.
2. Shaik Mahaboob Basha S/o Late Shri Shaik Mastan, Aged About 58 Years, Resident Of 75-3-19, 4Th Floor, Letf Road, Vijayadurga Colony, Near Bultop, Cuddapah, Andhra Pradesh-516001.
3. Mohammed Younus Pasha S/o Mohammed Akbar Pasha, Aged About 31 Years, Resident Of 1-64 Gowrelly, Abdullapurmet, District Rangareddy, Telangana-501505.
4. G Tejaswi D/o Pochaiah, Aged About 30 Years, Resident Of 15-5-195, Zinkatawada, Bhavani Nagar, Sanathnagar, Bolanagar, Medchal-Malkajgiri, Telangana-500018.

-----Petitioners

Versus

1. State Of Rajasthan, Through P.p.
2. Ugma Ram Khichar S/o Shri Chela Ram Khichar, Resident Of Village Siniya, Gachhipura, Didwana-Kuchaman, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Rakesh Kumar Sharma & Mr. Jay Vardhan Joshi
For Respondent(s)	:	Mr. Pawan Kumar Bhati, PP Mr. Praveen Dayal Dave & Mr. Rajendra Singh for complainant

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

06/07/2026

1. Heard on the interim stay application.

2. The submission of the learned counsel appearing for the petitioner is that the civil nature dispute has been given a colour of the criminal proceedings. There are business transaction between the parties. The petitioner has hired some works from the complainant-Company and subsequent to such hiring, the petitioner has already paid an amount of Rs. 1,91,92,424/- to the complainant/private respondent and there is still an amount of Rs. 4,40,17,273/- which is due from the petitioner. It is also submitted that the exact bills have not been submitted by the complainant so that the petitioner could pay the outstanding amount of Rs. 4,40,17,273/-.

3. Having heard the submissions advanced by the learned counsel appearing for the petitioner and having gone through the material placed on record, this Court is of the view that instead of institution of civil nature proceedings, the complainant has chosen the present proceedings which leads to the institution of criminal proceedings in the form of the present FIR. Therefore, this Court is, prima facie, of the view that the civil nature dispute has been given a colour of criminal proceedings by lodging the present FIR against the petitioner.

4. In such circumstances, there shall be a stay on the arrest of the petitioner in connection with FIR No.01/2026 dated 07.01.2026 registered at Police Station Gachhipura, District Deedwana-Kuchaman. However, other proceedings may go on.

5. Issue notice to the respondents, returnable within a period of four weeks.



6. The learned Public Prosecutor appears and accepts notice on behalf of the respondent No.1 – State. Therefore, issue notice to the respondent No.2 only. 7.

7. List the matter on 01.08.2026.

(BALJINDER SINGH SANDHU),J