

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

S.B. Criminal Misc(Pet.) No. 7456/2024

Balu Khan S/o Sh. Kamu Khan, Aged About 71 Years, R/o Chak 3
Mld-B, Gharshana, Teh. Anoopgarh, Dist. Anoopgarh.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Badri Parshad S/o Sohan Lal, R/o Chal 3 Mld, Gharshana,
Teh. Gharshana, Dist. Anoopgarh.

-----Respondents

For Petitioner(s) : Ms. Sangeeta Mittal

For Respondent(s) : Mr. Surendra Bishnoi, AGA
Mr. Ishwar Prasad, SHO, PS Anupgarh
Mr. N.R. Budania

HON'BLE MR. JUSTICE FARJAND ALI

Order

07/04/2025

1. Heard learned counsel for the parties and gone through the contents of the FIR and so also the niceties of the matter. Prima facie, this court feels that the ingredients which are essential to constitute offence of cheating are blatantly missing since there is no direct transaction between the petitioner and the complainant Badri Prasad to believe upon a certain fact and by doing so, loss was caused to him. The above are the essential elements to invoke Section 420 of the IPC. The petitioner is directed to appear before the Investigating Officer, who shall make complete interrogation from him and shall keep all the documents on record.



[CRLMP-7456/2024]

2. Till disposal of the instant petition, no coercive measures shall be taken against the petitioner in connection with FIR No.95/2024 registered at the Police Station Anupgarh, District Sri Ganganagar. The stay petition is allowed.

(FARJAND ALI),J

63-Pramod/-