

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 896/2024

1. Trilok Chand Jain S/o Mahaveer Prasad Jain, R/o 101, Guru Nanak Colony, Ranjeet Nagar, Bharatpur, Rajasthan
2. Praveen Kumar Gupta S/o Tara Chand Singhal, R/o A-22, Ranjeet Nagar, Bharatpur, Rajasthan

----Petitioners

Versus

1. State Of Rajasthan, Through Its Public Prosecutor
2. Mukesh Chand Son Of Shri Sita Ram, Resident Of Kalyan Colony, Bayana, District Bharatpur. At Present Resident Of 10, Samta Nagar, Vaishali Marg (West), Panchyawala, Jaipur.

----Respondents

Connected With

S.B. Criminal Miscellaneous (Petition) No. 679/2024

1. Attar Singh Bhadana Son Of Shri Budh Singh Bhadana, Resident Of Sagar Farm, Shergarh, Tehsil Bayana, District Bharatpur.
2. Arjun Singh Bhadana Son Of Shri Atar Singh Bhadana, Resident Of B-255, Chhattarpur Enclave, Phase-Ii, Chhattarpur, Sough Delhi, Delhi.

----Petitioners

Versus

1. State Of Rajasthan, Through Its Public Prosecutor.
2. Mukesh Chand Son Of Shri Sita Ram, Resident Of Kalyan Colony, Bayana, District Bharatpur. At Present Resident Of 10, Samta Nagar, Vaishali Marg (West), Panchyawala, Jaipur.

----Respondents

For Petitioner(s)	:	Dr. V. R. Bajwa, Sr. Adv. assisted by Mr. Amar Kumar Mr. Pankaj Gupta Mr. Saurabh Yadav
For Respondent(s)	:	Mr. Ghanshyam Singh Rathore, GA- cum-AAG with Mr. Kirti Vardhan Singh

Mr. Ajeet Kumar Bhandari, Sr. Adv.
assisted by
Mr. Ankit Agrawal

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

20/02/2024

Heard.

Learned counsel for the petitioners submits that in the matter of S.B. Criminal Miscellaneous (Petition) No.5880/2020, this Court vide order dated 03.12.2020, has passed the order to protect the petitioners from any coercive action pertaining to FIR No.825/2019 at PS Bayana.

Learned counsel for the petitioners further submits that FIR itself is delayed by 08 years and the matter between the parties is purely civil in nature and has been given colour of an offence through the belated FIR.

Mr. Ajeet Kumar Bhandari, learned Senior Advocate assisted by Mr. Ankit Agrawal appear for respondent No.2/complainant and vehemently opposes the grant of stay order. He submits that vide order dated 06.09.2021, in S.B. Criminal Miscellaneous (Petition) No.5880/2020, petitioner Subhash Chand was directed to furnish the documents in question along with the required affidavits. But petitioner did not produce the said documents in original, despite, Court order dated 06.09.2021. He further submits that other connecting matters are directed to be listed on 23.02.2024, therefore, no order protecting the present petitioners may be issued.

In “S.B. Criminal Miscellaneous (Petition) No.5880/2020, Subhash Chand Vs. State of Rajasthan & Anr.”, this Court has passed the following order:-

“In the meanwhile, no coercive action shall be taken against the petitioners. However, it is made clear that respondent No.1 can continue with the investigation. Petitioners are directed to join the investigation as and when required.”

Considering the above order, SHO, PS Bayana is directed not to take any coercive action against the petitioners in connection with FIR No.825/2019, PS Bayana till further order.

Petitioners are also directed to appear before the Investigating Officer on or before 29.02.2024.

List these matters along with S.B. Criminal Miscellaneous (Petition) No.5880/2020 on 23.02.2024.

(PRAVEER BHATNAGAR),J