

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 765/2019

Abdul Aziz S/o Abdul Basir & Anr.

-----Petitioners

Versus

State Of Rajasthan & Anr.

-----Respondents

For Petitioner(s) : Mr. Shamsuddin Ansari

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

HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Order

01/02/2019

Counsel for the petitioners has contended that it is alleged by the complainant that he entered into partnership with the petitioners and they were engaged in the mining of Kota Stone.

Counsel for the petitioners has contended that work of mining commenced in the year 2012 and there were continuous business transactions between the petitioners and the complainant.

Counsel for the petitioners has contended that the complainant has falsely alleged that there was partnership between the complainant and the petitioners. Counsel for the petitioners has contended that even if it is assumed that there was a partnership existing between the petitioners and the complainant, remedy for the complainant is to file suit for rendition of accounts.

Counsel for the petitioners has contended that due to, ongoing business transactions because of partnership or otherwise, in present case no criminal offence is made out.

Issue notice to the respondents for 28.03.2019. Till then, further proceedings arising out of impugned FIR shall remain stayed.

(KANWALJIT SINGH AHLUWALIA),J

Heena/179

RAJASTHAN HIGH COURT



सत्यमेव जयते