

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

S.B. Criminal Miscellaneous (Petition) No. 2900/2018

Smt Barkat Bano And Ors

-----Petitioner

Versus

State Of Raj And Ors

-----Respondent

For Petitioner(s) : Mr. R.K. Paliwal.
For Respondent(s) : Mr. S.K. Mahla, P.P.
Mr. Ashrut Sethi.

HON'BLE MR. JUSTICE INDERJEET SINGH

Order

01/04/2021

Heard on the application (01/2021) for extension of interim order passed by this court on 13.05.2019.

The order dated 13.05.2019 reads as under:-

"It is contended by counsel for the petitioners that petitioners are bonafide purchasers. Petitioners have purchased the property in the year 2009 by a registered sale deed. Allegation in the FIR is that in the year 2004, someone personated as grandmother of the complainant and sold the property. It is also contended that there is no allegation whatsoever against the petitioners. Issue notice to the complainant-respondent Rule is made returnable within four weeks. In the meantime, Trial Court shall not proceed with the case."

Counsel for the respondent has opposed the application and relied upon the judgment passed by the Hon'ble Supreme Court in the matter of Asian Resurfacing of Road Agency Vs. Central Bureau of Investigation (Criminal Appeal Nos.1375-1376 of 2013).

I have perused the contents mentioned in the application as well as the order passed by the courts below and considering the fact that the petitioner is a bona-fide purchaser, therefore, in my considered view the order dated 13.05.2019 deserves to be extended till final disposal of the misc. petition.

In that view of the matter, the application stands allowed and the order dated 13.05.2019 is continue till final disposal of the misc. petition.

(INDERJEET SINGH),J

MG/26



सत्यमेव जयते