

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 1309/2025

Smt. Mangla Vyas W/o P.c. Vyas,

-----Petitioner

Versus

State Of Rajasthan & Anr.

-----Respondents

For Petitioner(s)	:	Mr. Umang Jain Mr. Yuvraj Singh Kachhawa
For Respondent(s)	:	Mr. Amit Punia, PP

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

04/03/2025

Instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner, namely; Smt. Mangla Vyas against the impugned order dt.14.09.2022 passed by the learned Sessions Judge, Jaipur Metropolitan-II in Criminal Complaint No.189/2022, whereby cognizance against the petitioner alongwith others has been taken under Section 4/22 of the Banning of Unregulated Deposits Scheme Act, 2019. It is further prayed that the criminal proceeding pending against her in the aforesaid Court, in Criminal Complaint No.189/2022, may be quashed.

Submissions of learned counsel appearing for the petitioner are that the petitioner is the Multi State Co-operative Society registered under Section 7 of the Multi State Co-operative Societies Act, 2002. The petitioner has not only challenged the order of taking cognizance but also the very competence of the authority, who has filed a complaint under the provisions of

Banning of Unregulated Deposits Scheme Act, 2019. The power to file the complaint in case of Multi State Co-operative Societies vests with the central Registrar, whereas the complaint, in question has been filed by the Sub-Registrar of the State Government.

The matter requires consideration.

Heard.

Issue notices to the respondents.

Learned Public Prosecutor accepts notice on behalf of the respondent No.1- State.

Let notice of the petition as well as of stay application be issued to remaining respondent No.2, returnable on 18.03.2025.

Meanwhile, the further proceedings pending before the Court of learned Sessions Judge, Jaipur Metropolitan-II in Criminal Complaint No.189/2022 titled as State of Rajasthan Vs. Navjeevan Credit Co-operative Society & Others, shall remain stayed, qua the present petitioner.

List this matter alongwith S.B. Criminal Misc. Petition Nos.8549/2024, 8550/2024, 8551/2024, 8553/2024, 624/2025, 625/2025 & 626/2025.

(GANESH RAM MEENA),J