

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2142/2023

Liyakat Ali Son Of Amin Khan,

-----Petitioner

Versus

State Of Rajasthan & Anr

-----Respondents

For Petitioner(s) : Mr. Girish Khandelwal

For Respondent(s) : Mr. Atul Sharma, PP

HON'BLE MR. JUSTICE BIRENDRA KUMAR

Order

19/05/2023

Issue notice to respondent No. 2 through both the processes.

Requisites be filed within five days, failing which the instant petition would stand dismissed without any further reference to the Bench.

On filing of requisites within time, the Registry shall issue notice to respondent No. 2 through both the processes.

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

Learned counsel for the petitioner submits that allegation against the petitioner is that respondent No. 2 had provided Rs. 12,50,000/- (Twelve Lakh Fifty Thousand) in cash to the respondent for paying it to third person and petitioner misappropriated it. Learned counsel contends that claim of cash payment of such a huge amount by the respondent No. 2 is against the mandate of Income Tax Act, therefore for his illegal act respondent No. 2 cannot get protection of law.

Considering the submission aforesaid, it is directed that no coercive steps shall be taken against the petitioner in connection with FIR No. 304/2022 registered with police station Pahari, Bharatpur for the offences under Sections 420 and 406 of IPC till further order with condition that petitioner shall fully cooperate with the investigation of the case.

List on 28.08.2023.

(BIRENDRA KUMAR),J