

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 1993/2025

Kishan Kumar Dalmia Son Of Late Shri Mali Ram,

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Rajat Ranjan
For Respondent(s)	:	Mr. N.S. Dhakad, PP Mr. Neeraj Kumar Sharma, for R.2

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

07/04/2025

1. Heard.
2. Considered.
3. Learned counsel for the petitioner submits that earlier the petitioner Kishan Kumar had preferred SB Criminal Misc. Petition No. 2075/2017.
4. During pendency of the said petition, the respondent State submitted a factual report as regards the investigation, wherein allegations for offences punishable under Section 420, 469, 199 & 501 IPC were found to be proved against Pawan Kumar S/o Shiv Kumar Dalmiya and Rajendra Kumar S/o Shri Maidhan only and in view of the said facts submitted in the factual report, the aforesaid petition was disposed vide order dated 11.07.2023 as having become infructuous.
5. Learned counsel for the petitioner further submits that now the respondents have again initiated the investigation proceedings against the present petitioners by issuing notice to them.

6. In the aforesaid circumstances, the allegation against the accused or accused persons have not been found proved, then under which provision and under whose orders the respondent State has issued notice to the petitioners.
7. Issue notice/s to the respondent/s, returnable by two weeks.
8. Mr. Neeraj Kumar Sharma puts appearance on behalf of respondent No. 2 Radhey Shyam.
9. Learned Public Prosecutor puts appearance on behalf of respondent State.
10. Hence service upon respondent/s is complete.
11. Petitioner is directed to serve a copy of this petition to the counsel for respondent No. 2 during the course of the day.
12. List after two weeks.
13. In the meantime, no coercive action shall be taken against the petitioners.

(GANESH RAM MEENA),J