

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

S.B. Criminal Writ Petition No. 551/2017

Dinesh Kumar Nagpal And Anr

-----Petitioner

Versus

State Of Rajasthan Through P P

-----Respondent

For Petitioner(s)	:	Mr. Suresh Sahni, Mr. Ram Manohar Sharma and Mr. Mahendra Sharma
For Complainat	:	Ms. Keerti Harsha for Mr. Sunil Kumar Singh
For State	:	Mr. Arvind Bhadu, P.P.

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Order

26/09/2019

1. It is contended by counsel for the petitioners that vide order dated 13.11.2017, operation of order dated 09.10.2017 and 29.09.2016 was stayed by the Court. Court below has now vacated the stay in pursuance of the judgment of Apex Court in ***Asian Resurfacing of Food Agency Pvt. Ltd. And Anr. vs. CBI***, Criminal Appeal No. 1375-1376 of 2013 and has summoned the petitioners by arrest warrants. It is contended that even if stay was vacated, proper course was to summon the petitioners by bailable warrants.
2. Counsel for the complainant has opposed the prayer.
3. I have considered the contentions.
4. The Writ Petition has been preferred against taking of cognizance under Section 306 of IPC. As per the record, Police submitted negative final report. Brother of petitioner No.1

6. Warrants of arrest issued against the petitioners shall not be executed till further orders.

Simple Kumawat /128



सत्यमेव जयते