

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 3846/2025

Sh. Ashok Mann S/o Col Bharatsingh and anr.

-----Petitioners

Versus

Sh. Yashwant Kumar Sharma S/o Sh. G.K.Sharma

-----Respondent

For Petitioner(s) : Mr. Kapil Gupta
Mr. Mukesh Dudi

For Respondent(s) : None present

HON'BLE MR. JUSTICE SUDESH BANSAL
Order

12/08/2025

1. It has been argued that petitioners are facing criminal trial for the offence under Section 138 of N.I. Act, whereas the alleged signatures of petitioners, on the cheques in question, are fabricated and for which petitioner has also lodged complaint.
2. Initially, police submitted negative final report but the trial Court vide order dated 14.03.2019 took cognizance for the offences under Sections 406, 420, 467, 468 & 471 of IPC against the respondent-complainant.
3. It has been submitted that against the order dated 14.03.2019, the respondent-complainant preferred Criminal Misc. Petition No.7392/2019, wherein vide order dated 13.12.2019 further proceedings in criminal case No. 81/2019, have been stayed.
4. In view of above, let notice be issued to respondent-complainant.

5. Since this Court is having roster of hearing the criminal misc. petition from the year 2022, hence, petitioners are at liberty to list this Criminal Misc. Petition No.7392/2019 filed by respondent-complainant in the same subject matter of dispute.

6. In the meanwhile, final judgment in criminal case No. 67427/2024: Sh. Yashwant Kumar Sharma Vs. Sh. Ashok Mann and Anr. pending before the Special Judicial Magistrate (N.I Act Cases) No.09, Jaipur Metropolitan-2, Jaipur shall remain stayed.

(SUDESH BANSAL),J