

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 4450/2023

Ashutosh Parashar Son Of Shri Tara Chand Sharma,

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Ajay Shukla with Mr. Raghav
Sharma

For Respondent(s) : Mr. Mangal Singh Saini, PP

HON'BLE MR. JUSTICE SAMEER JAIN

Order

08/12/2023

By way of present criminal misc. petition, the petitioner is seeking quashing of impugned FIR No. 557/2023 dated, registered at Shipra Path, Jaipur City (South) for the alleged offence under Section 420 and 406 of IPC.

Learned counsel for the petitioner submits that the impugned FIR is a classic example of abuse of criminal process of law. The allegation levelled, even if taken at their face value, do not disclose commission of any criminal offence as the allegation is limited to taking advance rent and then not giving possession of property, for which there are appropriate civil remedies.

Heard and considered.

Issue notices.

Learned Public Prosecutor accepts notices on behalf of respondent-State.

The private respondents be served by both the modes.

List the matter on 08.01.2024.

In the meanwhile, the investigation may proceed but no coercive action shall be taken against the petitioner in connection with the impugned FIR.

(SAMEER JAIN),J

JKP/648