

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

S.B. Criminal Miscellaneous (Petition) No. 6518/2022

Harsh Kumar S/o Sh. Surendra Kumar & Ors.

----Petitioners

Versus

State Of Rajasthan & Anr.

----Respondents

For Petitioner(s) : Mr. Udit Purohit, Adv.

For Respondent(s) : Mr. Imran Khan, PP

HON'BLE MR. JUSTICE BIRENDRA KUMAR

Order

26/07/2022

Let notice should go to respondent No.2 through both the process.

Requisites be filed within 10 days.

Learned Public Prosecutor accepts notice on behalf of the State-respondent.

Learned counsel for the petitioners submits that petitioners are office bearers of Mahindra Rural Housing Finance Limited. Husband of respondent No.2 had taken loan from Mahindra Rural Housing Finance Limited, however he did not repay the loan amount. Thereafter, the Mahindra Finance Limited took possession of the mortgaged property after obtaining order of the Court under Section 14 of the SARFAESI Act, 2002.

Learned counsel further submits that Section 32 of the Act of 2002 puts bar on legal proceedings against the secured creditors for anything done in good faith. Evidently the action of the petitioners was in good faith and in the interest of the creditor as well as according to law.

(BIRENDRA KUMAR),J

Ashwani/-37

