

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 4713/2023

Abhishek Bhawan S/o Shree Bhartesh Bhawan, C/o Sunrise Public School, Plot No. 101, Near Podring Park, Brahmpuri, Jaipur.

-----Petitioner

Versus

Daksh Motors, Through Proprietor Shree Balkrishan Sharma 24-25, In Front Of Road No. 5, In Front Of Vki Police Station, Sikar Road, Jaipur.

-----Respondent

For Petitioner(s)	:	Mr. Ayush Gupta
For Respondent(s)	:	Mr. Laxman Meena,PP

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

31/01/2024

Petitioner accused has filed instant petition feeling aggrieved by the order dated 14.06.2023, dismissing his application under Section 91 Cr.P.C.

Learned counsel for the petitioner submits that the cheque in question was not issued by the petitioner nor the account for the cheque in question belongs to petitioner. Petitioner sought information in this regard from the concerned bank under RTI, which was declined vide letter dated 12.09.2022, therefore in order to put his defence, which is a legal and valid right of petitioner, he moved an application under Section 91 Cr.P.C. to call for details about the disputed cheque from the concerned bank to clarify that the account of cheque in question belongs to the petitioner or not.

Heard.

Issue notice to the respondent.

In the meanwhile, the Trial Court may pursue with the further proceedings of the present Complaint Case No.1196/2016 pending before the Special Metropolitan Magistrate, NI Cases No.5, Jaipur Metropolitan-I, however the Complaint Case shall not be decided finally.

(SUDESH BANSAL),J