

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.6757/2025

Manju Devi Vishnoi W/o Late Kanahiya Lal Vishnoi & Others

-----Petitioners

Versus

State Of Rajasthan & Another

-----Respondents

For Petitioner(s)	:	Mr. Anuhav Sharma Mr. Himanshu Awasthi
For Respondent(s)	:	Mr. Vivek Choudhary, PP

JUSTICE ANOOP KUMAR DHAND

Order

08/12/2025

1. Learned counsel for the petitioners submits that as per the allegations levelled in the FIR, the father of the petitioners mortgaged the subject land to the complainant after borrowing certain amount on 10.01.2021. Learned counsel submits that no document in this regard is available with the complainant and the complainant has lodged the impugned FIR with vague allegations. Learned counsel submits that if at all it is relied that the subject land was mortgaged by the father of the petitioners to the complainant after borrowing certain amount, the complainant could have filed a suit for recovery, which it appears that limitation of the aforesaid suit has expired, hence, to make a pressure upon the petitioners for refund of the amount, the impugned FIR has been lodged against them.
2. Issue notice to the respondent No.2, returnable within a period of three weeks.

3. Notices be given "dasti" to the counsel for the petitioners for effecting service upon the respondent-complainant through concerned SHO.
4. List this case on 08.01.2026.
5. Till next date, no coercive action shall be taken against the petitioners.
6. Meanwhile, learned Public Prosecutor is directed to call for factual report of the investigation conducted so far.
7. It is made clear that this interim order would come into effect only after service of notice upon the respondent-complainant.
8. The respondent-complainant would be at liberty to move application for modification / recall of this order after service.
9. Office is directed to send a copy of this order to the respondent-complainant alongwith notices.

(ANOOP KUMAR DHAND),J