

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

S.B. Criminal Miscellaneous (Petition) No. 6572/2019

URN: CRLMP / 12151U / 2019

Girdhari Singh Rawat S/o Shri Narayan Singh, Aged About 30 Years, R/o Akhepura, Govindgarh, Tehsil Pisangan, District Ajmer, Raj.

----Petitioner

Versus

Indusind Bank Limited (Consumer Finance Division), Branch 1204, Subhash Ganj Mandi, Nasirabad, District Ajmer, Through Assitant Manager Shri Pushpendra Singh Shekhawat.

----Respondent

For Petitioner(s) : None present

For Respondent(s) : Mr. Manvendra Singh Shekhawat, PP

JUSTICE ANOOP KUMAR DHAND

Order

18/07/2026

1. The instant criminal misc. petition has been preferred against the impugned order dated 18.07.2019, passed by the Judicial Magistrate, First Class, Nasirabad, District Ajmer in Criminal Case No.473/13, by which the application submitted by the petitioner under Section 91 Cr.P.C. has been rejected.

2. It has been averred in the instant petition that the petitioner is facing trial for the offence under Section 138 of the Negotiable Instruments Act. During pendency of the trial, an application was submitted under Section 91 Cr.P.C. by the petitioner indicating therein that he purchased a trailer truck bearing No.RJ 09 GA 0369 after borrowing certain amount from the resondent-Bank. At the time of availing the loan facility, the petitioner's signatures

were taken on 10-12 blank cheques and on empty stamp papers. It has also been averred in the instant petition that the loan installments were paid by the petitioner from time to time, but in the meantime, the aforesaid vehicle of the petitioner was seized by the respondent-Bank and sold to someone else and thereafter, the instant complaint has been filed on the ground that the cheque issued by the petitioner has been dishonored on account of insufficient funds. Under these circumstances, an application was submitted by the petitioner for summoning the above relevant documents from the possession of the respondent-Bank, but the said prayer has been declined by the Court below by passing the order impugned.

3. The aforesaid application was rejected by the Court below on the ground that it did not contain any specific averments or prayer for summoning any particular document, nor did it disclose the reasons for seeking the summoning of such document.

4. Hence, the Court below was of the opinion that unless a clear and specific prayer is made, the relief sought for, cannot be granted and accordingly, the application was rejected.

5. Perusal of the order indicates that the impugned order does not suffer from any illegality or infirmity, which warrants any interference of this Court.

6. Accordingly, the instant criminal misc. petition stands rejected. The stay application and all pending applications, if any, also stands rejected.

(ANOOP KUMAR DHAND),J