

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



S.B. Criminal Miscellaneous (Petition) No. 3464/2016

URN: CRLMP / 5524U / 2016

1. Smt. Babita Agarwal W/o Shri Vimal Agarwal, R/o B-83,  
Jai Jawan Colony, Tonk Road, Jaipur
2. Vimal Kumar Agarwal S/o Shri Manna Lal Agarwal, R/o B-  
83, Jai Jawan Colony, Tonk Road, Jaipur

----Petitioners

Versus

1. State Of Rajasthan Through Public Prosecutor For Jaipur  
Development Authority
2. Shri Bhagchand Pandya S/o Shri Suraj Mal Pancya, R/o B-  
99, Jai Jawan Colony, Tonk Road, Jaipur

----Respondents

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|-------------------|---|------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Nitesh Pareek with<br>Mr. Apurva Kumar Maharshi                    |
| For Respondent(s) | : | Ms. Arti Sharma, PP<br>Mr. Ram Singh Gurjar for<br>Mr. Vijay Choudhary |

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**JUSTICE ANOOP KUMAR DHAND**

**Order**

**14/07/2026**

1. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned judgment dated 12.05.2016, passed by the Additional Chief Judicial Magistrate No.1 (Special Court), Jaipur Development Authority, Jaipur in Criminal Case No.06/2008, by which the accused -respondent has been acquitted from the charge under Sections 31(1) and 31(2) of the Jaipur Development Authority Act, 1982 (for short 'the Act of 1982').

2. At the outset, it has been observed by this Court that criminal leave to appeal under Section 378(4) of Cr.P.C. is maintainable in such like matters, where acquittal judgment has been passed in a complaint case.
3. On this count alone, the instant criminal misc. petition stands disposed of for statistical purpose, granting liberty to the petitioner to file criminal leave to appeal.
4. Office is directed to return certified copy and the *vakalatnama* to counsel for the petitioner after retaining photocopy of the same on the record.
5. Needless to observe that the petitioner would be entitled to submit an application under Section 14 of the Limitation Act.
6. Record be sent back to the Trial Court.

(ANOOP KUMAR DHAND),J