

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 8384/2025

Madhusudan Ajitsaria S/o Late Mr. Puranmal Aitsaria, C/o Agarwal Pipe And Fittings, Address 36-A, B.t. Road, 11 No. Bus Stop, Kolkata, Kamarhati (M), Noth 24 Parganas, West Bengal 700056.

Second Address- Madhusudan Ajitsaria S/o Late Mr. Puranmal Aitsaria, C/o Agarwal Pipe And Fittings, Address 1St Floor, Room No. F-34, 4Th Floor, Room No. 405, 405-A, 156A, Kamalya, Center, Lenin Sarani, Esplande, Kolkata, West Bengal 700013.

Third Address- Madhusudan Ajitsaria S/o Late Mr. Puranmal Aitsaria, C/o Agarwal Pipe And Fittings, Address Shed No. A-10, 147, Nilgunj Road, Belghariya North, 24 Parganas, Kolkata, West Bengal 700056.

Fourth Address- Madhusudan Ajitsaria S/o Late Mr. Puranmal Aitsaria, C/o Agarwal Pipe And Fittings, Address 10 T.n. Chatterjee Street, Baranagar, Kolkata, West Bengal 700090.

----Petitioner

Versus

A.U. Small Finance Bank Limited, Through Authorize Representative Rajiv Singh Shekhawat Son Of Shri B.s. Shekhawat, Office Situated At 19-A, Dhuleshwar Garden, Ajmer Road, Jaipur.

----Respondent

For Petitioner(s)	:	Mr. Madhav Mitra, Sr. Adv. assisted by Ms. Jaya Mitra Mr. Akshat Jain Mr. Shahrukh Khan Ms. Manisha Meena
For Respondent(s)	:	

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

12/03/2026

1. Learned Senior Counsel appearing for the petitioner submits that cheque in question was issued by the petitioner to the complainant-Bank for security purpose and same has been misused by the complainant-Bank. Counsel further submits that to recover the debts, proceedings under Securitisation and Reconstruction of Financial Assets and Enforcement of Security

Interest (SARFAESI) Act, 2002 have already been initiated in Debt Recovery Tribunal No.3, Calcutta. It is submitted that the entire transaction between the petitioner and the complainant-Bank took place in Calcutta. Counsel submits that only in order to harass the petitioner, complaint has been presented in the Court situated at Jaipur City. It is contended that with regard to the present dispute, an FIR was also lodged by the complainant-Bank against the petitioner in Calcutta wherein he was granted bail with a condition to mark his presence in the concerned Police Station twice in a week.

2. In view of above submissions, issue notice to the sole respondent, returnable on the next date of hearing.

3. List this case after eight weeks.

4. Meanwhile, subject to the presence of the petitioner before the learned trial Court on 03.04.2026, warrant of arrest issued by the trial Court to ensure the presence of the petitioner shall be kept in abeyance. Upon appearance, petitioner shall submit his bail bonds and the same shall be accepted by learned trial Court. It is further observed that since petitioner is required to mark his presence before the concerned Police Station in Calcutta twice in a week, learned trial Court is requested to liberally consider any application for exemption of personal presence, if filed by the petitioner in future.

(ANIL KUMAR UPMAN),J