

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C-528 No. 925 of 2026 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Vinod Tiwari, Mr. Rajat Pandey and Mr. Mohit Durgapal, learned counsel for the applicant.</p> <p>2. Mr. Prabhat Kandpal, learned A.G.A. for the State.</p> <p>3. The present criminal misc. application is filed with a prayer to quash and set-aside the chargesheet, summoning order as well as the entire proceedings of Criminal Case No. 1324 of 2025, pending in the court of learned ACJM (Railway), Haldwani, District Nainital.</p> <p>4. In this case, an FIR was lodged by the complainant alleging therein that while travelling from Khatima to Delhi when she put her I-Phone on charge and slept on the upper birth and while three passengers were sitting on the lower birth, her phone got missing from the train. FIR was lodged and during investigation, the said phone was recovered from the possession of the applicant.</p> <p>5. Learned counsel for the applicant would submit that he has purchased this phone from his neighbour named Farman and Farman made the confession that he has stolen the phone as he was in need of money and applicant bought the phone on a throw away price.</p> <p>6. Heard learned counsel for the parties and perused the record.</p> <p>7. This Court finds some substance in the submission made by learned counsel for the</p>

applicants and having heard the submission, under the facts and circumstances of the case, this Court is of the view that this matter definitely requires deliberation.

8. Issue notice to respondent no. 3, returnable within three weeks. Steps to be taken within a week.

9. List after service report is received.

10. In the meantime, counter-affidavit(s), if any, be filed by the respondents.

11. After perusing the records and having heard learned counsel for the parties, under the facts and circumstances of the case, this Court, prima facie, is of the opinion and is satisfied that in the interest of justice, further proceedings of Criminal Case No. 1324 of 2025, pending in the court of learned ACJM (Railway), Haldwani, District Nainital, shall remain stayed *qua* the applicant till the next date of listing.

(Alok Mahra J.)

07.05.2026

Ujjwal