

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. 933 of 2026 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. B.D. Pande and Ms. Shweta Mehra, 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. 298 of 2025, pending in the court of learned ACJM, Haldwani, District Nainital.</p> <p>4. In this case, an FIR was lodged by the complainant alleging therein that power of attorney was executed by her father in favour of one Sumit Rawat, but, Sumit Rawat in connivance with the applicant sold extra land to the applicant. Besides this, it is alleged that the possession of the land too has been given in the other plot instead of the plot in which power of attorney was granted.</p> <p>5. Learned counsel for the applicant would submit that even if all allegations as mentioned in the FIR are taken on their face value, then also, it is purely a civil dispute. It is further submitted that applicant already filed a suit for injunction against the complainant and other persons and respondent no. 2 have filed suit for cancellation of the sale deed. It is also submitted that the sale deed was executed in the year 2019 and thereafter mutation have been effected in his name.</p> <p>6. Heard learned counsel for the parties</p>

and perused the record.

7. This Court finds some substance in the submission made by learned counsel for the applicant 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. 2, 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 and also considering the fact that already civil suits are pending in regard to injunction and consideration of the sale deed and as such the dispute is purely civil in nature which has been given a criminal colour, this Court, *prima facie*, is of the opinion and is satisfied that in the interest of justice, further proceedings of Criminal Case No. 298 of 2025, pending in the court of learned ACJM, Haldwani, District Nainital, shall remain stayed *qua* the applicant till the next date of listing.

(Alok Mahra J.)

07.05.2026

Ujjwal