

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Revision Petition No. 44/2026

1. Narpat Singh Alias Pappu S/o Bala Singh, Aged About 40 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
2. Bhom Singh S/o Arjun Singh, Aged About 36 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
3. Shaitan Singh S/o Nag Singh, Aged About 50 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
4. Bher Singh S/o Nag Singh, Aged About 36 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
5. Bhoj Raj Singh S/o Nag Singh, Aged About 40 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
6. Ram Singh S/o Bal Singh, Aged About 35 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
7. Kamal Singh S/o Guman Singh, Aged About 40 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
8. Narpat Singh S/o Nag Singh, Aged About 36 Years, R/o Chatangar, Khuhadi, District Jaisalmer.
9. Bala Singh S/o Peerdan Singh, Aged About 35 Years, R/o Chatangar, Khuhadi, District Jaisalmer.

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Gulab Singh S/o Beripal Singh, R/o Village Chatangar, Police Station Khuhadi, District Jaisalmer.

-----Respondents

For Petitioner(s)	:	Mr. Naresh Khatri
For Respondent(s)	:	Mr. SR Choudhary, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

24/02/2026

1. The application of the prosecution seeking recalling of witness PW-15 Nanda Ram was dismissed by a detailed reasoned

order by learned trial court vide order dated 11.04.2025. The quest of the prosecution was to tender the seized sword into evidence and to recall the witness PW-15.

2. Again the same prayer was made by the victim to recall the prosecution witness PW-16 Revant Singh for the same purpose, however, learned trial court has allowed the application moved under Section 311 of the Cr.P.C. When after making discussion of the matter available on record regarding tendering the sword in question into evidence, again passing an order seems to be a review by the learned Session Judge which is not permissible under law. It does not matter at whose instance the application under Section 311 of Cr.P.C. is filed, the Court is supposed to see that the crux of both the applications was to tender the sword in evidence and put a mark of identification on it.

3. Issue notice, returnable on 25.03.2026.

4. Notice be given 'dasti' as well.

5. List the matter on 25.03.2026.

6. In the meantime, learned Session Judge shall not decide the trial finally, however the proceeding may be continued.

(FARJAND ALI),J