

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

S.B. Criminal Misc(Pet.) No. 1075/2026

Manohar Lal S/o Narayan Ji Teli, Aged About 37 Years, Indra Market, Bassi, Tehsil And District Chittorgarh Raj.

-----Petitioner

Versus

Ajij Mohammad S/o Parvar Mohammad Ji Mirasi, Khanya, Bassi Tehsil And District Chittorgarh Raj.

-----Respondent

For Petitioner(s)	:	Mr. Kan Singh Oad
For Respondent(s)	:	

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

11/02/2026

The present criminal misc. petition under Section 528 BNSS has been filed against the order dated 15.01.2026 passed by learned Additional Judicial Magistrate, Chittorgarh, in Criminal Complaint No.224/2022 whereby evidence of the complainant was closed.

Counsel submits that his defence has evidence has been closed by the trial court on 15.01.2026. He submits that although the order states that several opportunities were granted, however, when the matter was fixed on 15.01.2026 he could not appear due to reason that there being 'Mundan' ceremony of his son at his residence on 15.01.2026 and 16.01.2026.

Counsel submits that there was genuine reason for his non-appearance on 15.01.2026. He could not be denied

opportunity to lead evidence due to earlier opportunities being granted to him.

This Court has gone through order dated 15.01.2026 and has also seen the Invitation Card of programme and photographs annexed with this petition.

This Court finds that although several opportunities were granted, however, as there was sufficient cause for non-appearance of the petitioner on 15.01.2026, therefore, in the interest of justice the petitioner is granted one last opportunity to submit his defence. The petitioner shall produce all his witnesses on the next date or if found appropriate by the trial court on any subsequent date in case of non-completion of the evidence.

The petitioner shall pay a cost of Rs.2000/- to the complainant.

In view thereof, the order dated 15.01.2026 is quashed and set aside. Consequently, the misc. petition is allowed.

Stay application and all pending applications, if any, stands disposed of accordingly.

(BALJINDER SINGH SANDHU),J