

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

S.B. Criminal Misc(Pet.) No. 1411/2026

Leeladhar S/o Late Shri Amolak Dass, Aged About 62 Years,
House No. 131, Section 7, Extension, New Power House Road,
Jodhpur, P.s. Shastri Nagar, Jodhpur.

-----Petitioner

Versus

1. State Of Rajasthan, Pp
2. Monika W/o Ashok Kumar, R/o 301, Adeshwar, Horizone,
Near Satabadi Circle, Jodhpur Police Station Kuri
Bhagtasani, Jodhpur.
3. Ashok Kumar S/o Late Shri Dev Kishan,, R/o 301,
Adeshwar, Horizone, Near Satabadi Circle, Jodhpur Police
Station Kuri Bhagtasani, Jodhpur.

-----Respondents

For Petitioner(s)	:	Mr. Manish Tak
For Respondent(s)	:	Mr. Vikram Singh Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

19/02/2026

Counsel for the petitioner submits that the learned trial court while sending the matter for further investigation vide order dated 06.02.2026 has passed a specific direction to file charge-sheet in the matter.

This Court has considered the submissions made as well as gone through the order dated 06.02.2026.

Learned trial court has not only directed investigation on particular points but has also issued directions to Investigating Agency to file charge-sheet against the accused.

Such a direction certainly cannot be given. Law on this point is well settled and is no more *res integra* in view of the judgment passed by Co-ordinate Bench of this Court in ***Mahaveer Vs. State of Rajasthan & Anr. (S.B. Criminal Misc. Petition No.7453/2025, decided on 07.02.2026)***, wherein Co-ordinate Bench of this Court while allowing the criminal misc. petition has set aside the order impugned to the extent of directing the Investigating Officer to investigate the matter in a particular manner.

In view thereof, this Court is inclined to interfere.

Admit. Issue notice.

Learned Public Prosecutor accepts notice on behalf of respondent-State. Notice, thus, is required to be issued to respondent no.2 & 3 only.

Meanwhile, effect and operation of order dated 06.02.2026 passed by learned Additional Chief Judicial Magistrate, Barmer in Case titled as "Monika Khatri Vs. Leeladhar" (arising out of FIR No.281/2025 P.S. Kotwali Barmer, District Barmer for the offence under Section 420, 406, 120-B and 384 IPC) as well as further action in pursuance thereto, shall remain stayed.

(BALJINDER SINGH SANDHU),J