

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

S.B. Criminal Misc(Pet.) No. 1433/2026

Raghuveer Nath S/o Jagdish Nath, Aged About 36 Years, R/o
Village Mangluna Tehsil Laxmangarh District Sikar, Rajasthan.

-----Petitioner

Versus

Pushpa D/o Surajnath, W/o Puman Nath R/o Bapeau Tehsil
Shreedingargarh District Bikaner Rajasthan.

-----Respondent

For Petitioner(s)	:	Mr. Vikram Singh Bhati.
For Respondent(s)	:	Mr. Ramesh Devasi, P.P.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

24/02/2026

1. Instant Criminal Misc. Petition has been filed by the petitioner seeking following reliefs:

“It is, therefore, humbly and respectfully prayed that this Misc. Petition of the petitioner may kindly be allowed and the Order Dated 15.01.2026 (Annex-2) passed by the Learned Judicial Magistrate, Taranagar District Churu may kindly be quashed and set aside.

Any other favourable order which this Hon'ble Court may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioners.”

2. Learned counsel for the petitioner submits that the learned Trial Court, vide order dated 06.01.2026, observed that the Appellate Court had granted three opportunities to lead evidence subject to payment of costs of ₹4,000/-, which have not been deposited by the petitioner. In the interest of justice, one last opportunity was granted to deposit the costs, and the matter was posted on 12.01.2026. However, on the said date, due to

unavoidable circumstances, the petitioner could not appear or deposit the costs, and the matter was adjourned to 15.01.2026.

3. He further submits that, due to genuine and unavoidable circumstances, the petitioner could not deposit the costs, leading to passing of the impugned order dated 15.01.2026, whereby the Trial Court held that the petitioner had failed to deposit despite ample opportunities and the applicant – wife was granted liberty to execute the maintenance order dated 03.01.2025. He thus prays for one final opportunity to comply.

4. Considering the age of the dispute, the petitioner's bona fide inability to deposit costs due to unavoidable circumstances, and to prevent irreversible prejudice, this Court deems it just and expedient to direct the learned Trial Court to afford the petitioner one last opportunity to file the reply to the application along with complete evidence, subject to deposit of costs of Rs.4,000/- before the learned Trial Court within two weeks from today.

5. With the aforesaid directions, the writ petition stands disposed of. Pending application(s), if any, also stand disposed of.

(DR.NUPUR BHATI),J