

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

S.B. Criminal Misc(Pet.) No. 1818/2026

Babulal Kumawat S/o Dhaglaram Ji Kumawat, Aged About 47 Years, Resident Of Near Office Of Water Supply Department, Nimaz Road, Jaitaran, Tehsil Jaitaran, District Pali, Rajasthan.

----Petitioner

Versus

Gopikishan Jangid S/o Babulal, Aged About 35 Years, Resident Of Merta City Road, Jaitaran, Tehsil Jaitaran, District Pali, Rajasthan.

----Respondent

For Petitioner(s) : Mr. Harshvardhan Singh Rathore

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

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU
Order

13/03/2026

The learned counsel for the petitioner has challenged the orders dated 07.01.2026 and 14.01.2026 passed by the learned Civil Judge and Judicial Magistrate, Jaitaran, District Beawar in Criminal Regular Case No. 620/2022, whereby the defence evidence of the petitioner has been closed.

Learned counsel for the petitioner submits that the order dated 14.01.2026 has been passed whereby the right of the petitioner to lead defence evidence has been closed in the proceedings under the *Negotiable Instruments Act*. He submits that the matter was referred to the Mediation Centre on 18.09.2025; however, the mediation proceedings could not yield any result.

It is further submitted that thereafter the matter was again fixed for recording of defence evidence. On 07.01.2026, a last opportunity was granted and the matter was fixed for 14.01.2026. However, on that day the petitioner preferred an application for sending the disputed cheque to the FSL. Consequently, the

defence evidence could not be recorded. Despite the said application having been filed, the learned trial Court proceeded to close the defence evidence of the petitioner on 14.01.2026.

Learned counsel submits that in the facts and circumstances of the case, one last opportunity may be granted to the petitioner to get his statement recorded.

Having considered the submissions made by learned counsel and upon perusal of the orders dated 18.09.2025, 07.01.2026 and 14.01.2026, this Court is of the view that the explanation furnished by the petitioner appears to be sufficient. In the interest of justice, one last opportunity deserves to be granted to the petitioner to lead his defence evidence.

Accordingly, the present Criminal Miscellaneous Petition is allowed and the order dated 07.01.2026 is set aside to the extent it closes the defence evidence of the petitioner.

The petitioner shall appear before the learned trial Court on the next date of hearing and get his statement recorded, subject to payment of costs of ₹2,500/-.

The stay petition as well as all pending application(s), if any, stand disposed of.

(BALJINDER SINGH SANDHU),J