

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

S.B. Criminal Misc. Appli No. 169/2026

Sohel Khan Alias Adil S/o Jamil Khan, Aged About 29 Years,
Resident Of 384, Near Bhagatsingh Park, sector 05, Gandhi
Nagar, District Chittorgarh Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Salina Shah D/o Jakir Hussain, Aged About 18 Years,
Resident Of Kasba Chowki Ke Peeche, district Chittorgarh
Raj.
3. Jakir Hussain S/o Gulam Rasool, Aged About 45 Years,
Resident Of Kasba Chowki Ke Peeche, district Chittorgar

-----Respondents

For Petitioner(s)	:	Mr. Zeeshan Ali
For Respondent(s)	:	Mr. Vikram Rajpurohit, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

27/03/2026

The present application has been filed for modification of the order dated 13.02.2026, by which the criminal miscellaneous petition was disposed of. It is stated in the application that, in the present case, the trial has not yet commenced and the matter is still pending at the pre-cognizance stage. It is further submitted that the complainant and other witnesses do not wish to continue with the criminal proceedings.

It is contended that this aspect can be considered at this stage by the learned trial Court; however, since this Court had directed expeditious disposal of the trial, the same would operate against the petitioners, as it would mandate continuation and

conclusion of the trial. It is further submitted that this fact could not be brought to the notice of this Court earlier due to inadvertence. The prayer earlier made was for consideration of the marriage certificate and other relevant documents at the inquiry/pre-cognizance stage .

This Court has considered the application as well as the submissions made. The petitioner is correct in stating that the trial has not yet commenced and the matter is still at the pre-cognizance stage. The observation made by this Court directing conclusion of the trial would certainly operate against the petitioner, particularly when interference was sought before this Court on the ground of compromise.

In such circumstances, in the interest of justice, and in view of the fact that both the complainant and the victim are married and that the victim does not wish to proceed further with the case, the direction to conclude the trial expeditiously, as contained in the order dated 13.02.2026, is hereby expunged. Instead it will read that the learned trial Court shall conclude the preliminary proceedings expeditiously, while taking into consideration the material on record.

(BALJINDER SINGH SANDHU),J