

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

S.B. Criminal Misc. Appli No. 183/2026

In

SB Criminal Misc. Petition No. 8393/2025

Dungar Singh S/o Dalpat Singh, Aged About 42 Years, R/o Village Jhinjhaniyala, Tehsil Balesar Police Station Balesar District Jodhpur Rural Raj.

-----Petitioner

Versus

Munni Kanwar W/o Omprakash Singh, Aged About 18 Years, R/o Village Jhinjhuanityala, Tehsil Balesar Police Station Balesar, District Jodhpur, Rajasthan.

-----Respondent

For respective parties	:	Mr. Mrinal Khatri Mr. Swaroop Singh Mr. VS Rajpurohit, PP
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HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

23/03/2026

The present application has been filed by the petitioner for recalling of the order dated 17.02.2026 in criminal misc. petition No.8393/2025.

It is stated that the order was passed by this Court on 17.02.2026 at the request of the counsel for the petitioner for fair investigation. It is further submitted that since the limited prayer was made, this Court was pleased to pass an order. However, due to inadvertence, the petitioner could not bring this fact to the knowledge of this Court that negative final report was already filed on 26.11.2025. Hence, the prayer for recalling is made.

This Court finds that the petitioner did not bring this fact to the knowledge of the Court that negative final report in the present case was already filed on 26.11.2025. In view of the same, no order of fair investigation could have been passed, and the same fact should have been brought to the knowledge of this Court.

Learned counsel for the respondent-Munni Kanwar is present before this Court and does not dispute the fact of filing of the negative final report and submits that due to communication gap the same could not brought to the knowledge of this Court.

In such circumstances of the case, this Court is inclined to recall the order dated 17.02.2026 which was passed due to misinformation to the Court, and as negative final report has been filed, no order of fair investigation could have been passed.

Accordingly, the present criminal misc. application is allowed and the order dated 17.02.2026 is recalled.

Further, in view of the fact that the negative final report has already been filed in the matter, the present criminal misc. petition stands dismissed. However, the petitioner shall be at liberty to raise all the contentions before the learned trial Court.

(BALJINDER SINGH SANDHU),J