

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

S.B. Criminal Miscellaneous (Petition) No. 3068/2026
CNR: RJHC010368002026
URN: CRLMP / 5507U / 2026

Himmat Soni S/o Shri Gopalram Soni, Aged About 35 Years,
Village And Tehsil Nokha District Bikaner

-----Petitioner

Versus

1. Bajrang Singh S/o Shri Bheekh Singh, Village And Tehsil
Nokha District Bikaner
2. State Of Rajasthan, Through Pp

-----Respondents

For Petitioner(s)	:	Mr. Manoj Kumar Pareek
For Respondent(s)	:	Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

16/07/2026

Learned counsel for the petitioner submits that, in the present case, the trial is near completion. The evidence of the complainant as well as the accused has already been recorded, and the matter is pending for final hearing. At this stage, an application was filed for taking one document on record, which was allowed by the learned Trial Court. The revision preferred against the said order has also been dismissed.

Learned counsel for the petitioner further submits that, at such an advanced stage of the trial, no document can be permitted to be taken on record, particularly when the document was admittedly in the possession of the complainant but was neither filed along with the complaint nor produced during the course of evidence. It is further submitted that there is no reference to the said document in the affidavit of the complainant,

and no sufficient explanation has been furnished as to why the document, despite being in the complainant's possession, was not produced earlier. It is contended that such a course cannot be permitted merely at the convenience of the complainant during the course of the trial.

This Court has considered the submissions advanced by learned counsel for the petitioner and has perused the impugned orders. It is not in dispute that the matter is at the stage of final arguments and the evidence of both the parties has already been concluded. In such circumstances, permitting a new document to be taken on record would virtually amount to reopening the trial and may result in a retrial, causing prejudice to the petitioner.

In view of the aforesaid, this Court is inclined to interfere with the impugned orders.

Issue notice.

Learned Public Prosecutor accepts notice on behalf of respondent No.1–State.

Notices be issued to respondent No.2, returnable within four weeks.

Meanwhile, until the next date of hearing, the effect and operation of the order dated **30.01.2026** passed by the learned Judicial Magistrate, Nokha, District Bikaner, shall remain stayed.

(BALJINDER SINGH SANDHU),J