

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

S.B. Criminal Revision Petition No. 684/2026

CNR: RJHC010398682026

URN: CRLR / 1491U / 2026

1. Narpat Ram S/o Nena Ram, Aged About 50 Years, R/o Khejrala, Police Station Bilara, Jodhpur Rural, At Present House No 3, basant Vihar, Khokhariya, Police Station Banar, District Jodhpur, Rajasthan (Lodged In Central Jail, Jodhpur)
2. Mahendra Chouhan S/o Narpat Ram, Aged About 26 Years, R/o Khejarla, police Station Bilara, district Jodhpur Rural, rajasthan
3. Jitendra Chouhan S/o Narpat Ram, Aged About 24 Years, R/o Khejarla, police Station Bilara, district Jodhpur Rural, rajasthan
4. Raju S/o Narpat Ram, Aged About 21 Years, R/o Khejarla, police Station Bilara, district Jodhpur Rural, rajasthan
5. Smt Pema Devi W/o Narpat Ram, Aged About 47 Years, R/o Khejarla, police Station Bilara, district Jodhpur Rural, rajasthan

-----Petitioners

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Hemant Jangid

For Respondent(s) : Mr. Sri Ram Choudhary, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

13/07/2026

By way of filing the present criminal revision petition, the petitioners have prayed for the following reliefs:-

*"It is, therefore, most respectfully and humbly
prayed that this Revision petition may kindly be allowed*

and the impugned order dated 19.03.2026 & 02.04.2026 passed by the learned Additional District & Session Judge No.2, Jodhpur Metro, In Session Case No.05/2026 (NCV No.27/2026) for the offence U/s 189(2), 189(4)), 109(1)/190, 115(2)/190, 132/190, 121(1)/190, 324(5)/190, 324(6)/190, 118(1)/190, 191(3) of BNS may kindly be quashed and set aside and the petitioners may kindly be ordered to be discharged from the alleged offence.”

2. Having heard learned counsel for the petitioners and upon perusal of the impugned orders dated 19.03.2026 and 02.04.2026 passed by the learned Additional District and Sessions Judge No. 2, Jodhpur Metropolitan, in Sessions Case No. 05/2026 titled State of Rajasthan v. Narpat Ram & Ors., whereby charges have been framed against the petitioners for the offences punishable under Sections 189(2), 189(4), 109(1) read with Section 190, 115(2) read with Section 190, 132 read with Section 190, 121(1) read with Section 190, 324(5) read with Section 190, 324(6) read with Section 190, 118(1) read with Section 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023, this Court finds that the allegation against the petitioners is that on 16.09.2025, when a police team, in connection with the investigation of FIR Nos. 469/2025 and 470/2025, reached Khokhariya Colony, Basant Vihar, within the jurisdiction of Police Station Banar, the accused persons, along with their family members, without any provocation, attacked the police party with stones and an axe. It is specifically alleged that the present petitioners, with the intention of causing the death of Assistant Sub-Inspector of Police Ranglal, inflicted an axe blow on his head, whereafter he was immediately taken to the hospital for medical treatment.

3. Learned counsel for the petitioners submitted that a perusal of the injury report of Assistant Sub-Inspector of Police Ranglal

dated 17.09.2025 clearly reveals that the injury sustained by him was simple in nature. It was, therefore, contended that it cannot be inferred that the petitioners intended to cause his death. Learned counsel argued that the mere infliction of an injury with a sharp-edged weapon, by itself, would not be sufficient to establish the commission of an offence amounting to an attempt to commit murder.

4. Learned counsel further submitted that the learned trial Court failed to consider several vital aspects of the matter and, in a mechanical manner, framed charges against the petitioners, including the charge for the offence of attempt to murder. It was contended that the learned trial Court ought to have independently evaluated the material available on record and formed an opinion as to whether the essential ingredients of the alleged offences were *prima facie* made out.

5. This Court is unable to accept the aforesaid submissions. The specific allegation in the FIR is that the petitioners, with a view to preventing the police party from carrying out the investigation and with the intention of causing the death of the police personnel, attacked them with a sharp-edged weapon, namely, an axe. The injury report of Assistant Sub-Inspector of Police Ranglal reveals that he sustained an injury on his forehead caused by a sharp-edged weapon. Although the injury has been opined to be simple in nature, the said circumstance, at this stage, *prima facie* discloses the essential ingredients of the offence of attempt to murder. Merely because Assistant Sub-Inspector of Police Ranglal did not sustain a life-threatening injury cannot, by itself, negate the requisite intention or knowledge coupled with an overt act

towards the commission of the offence. A person who inflicts an axe blow on the head of another person cannot ordinarily contend that he lacked the knowledge that such an act was likely to cause death.

6. It is well settled that, at the stage of framing of charge, the Court is only required to examine whether the material collected during the course of investigation discloses a *prima facie* case against the accused. At that stage, the Court is neither expected to undertake a meticulous appreciation of the evidence nor to weigh its probative value, as would be required after the conclusion of a full-fledged trial.

7. In view of the aforesaid discussion, this Court does not find any illegality, perversity or jurisdictional error in the impugned orders dated 19.03.2026 and 02.04.2026 passed by the learned trial Court warranting interference in the exercise of its revisional jurisdiction.

8. Consequently, the present revision petition, being devoid of merit, is hereby dismissed.

(KULDEEP MATHUR),J