

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous (Petition) No. 4068/2026

CNR: RJHC010493012026

URN: CRLMP / 7301U / 2026

Bannalal Bhambhi S/o Mohanlal, Aged About 50 Years, Ro 36
Balai Mohalla Ghathilakheda Tehsil And District Bhilwara
Rajasthan

-----Petitioner

Versus

1. Smt. Chandrakanta Nenawati W/o Prakash Singh, Ro 96
Govind Bhawan Near Head Post Office Rajendra Marg
Bhilwara Rajasthan
2. State Of Rajasthan, Through Pp

-----Respondents

For Petitioner(s)	:	Mr. N.K. Rastogi
For Respondent(s)	:	Mr. Hanuman Prajapati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

06/07/2026

Learned counsel for the petitioner submits that vide order dated 24.04.2024, the learned Additional Sessions Judge assigned the matter for recording of evidence only, and the order of conviction passed by the learned Magistrate on 23.07.2019 was not set aside, while the appeal was kept pending.

He further submits that, instead of recording the evidence, the Special Court has passed a fresh order dated 17.09.2025. Learned counsel submits that the appeal was still pending awaiting final orders.

He submits that a bare perusal of the order dated 24.04.2024 passed by the learned ADJ reveals that the order of

conviction was not set aside and the matter was not remanded back for fresh decision, as the appeal itself was kept pending. He further submits that, in such circumstances, the order dated 17.09.2025 has been passed without jurisdiction.

The matter requires consideration.

Issue notice.

Learned Public Prosecutor accepts notice on behalf of the respondent-State.

Let notice be issued to respondent No. 1, returnable on 20.07.2026.

In the meanwhile, the operation and effect of the order dated 17.09.2025 (Annexure-6) shall remain stayed.

However, in the interest of justice, since the matter involves financial transactions, this Court deems it appropriate to refer the matter to the Mediation Centre.

The parties are directed to remain present before the Mediation Centre, Rajasthan High Court, Jodhpur, on 20.07.2026 at 11:00 A.M. The trained Mediator shall thereafter undertake the mediation proceedings and submit a report before this Court in a sealed cover on the next date of hearing.

Learned counsel for the petitioner shall furnish the necessary details, i.e., the contact number of respondent No. 1, to the Mediation Centre within two days from the uploading of this order, so that intimation regarding appearance and the date of mediation may be conveyed.

Let the matter be listed after culmination of the mediation proceedings.

A copy of this order be sent to the Mediation Centre.



Connect with S.B. Criminal Misc. Petition No.4069/2026.

(BALJINDER SINGH SANDHU),J