

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

S.B. Criminal Revision Petition No. 673/2025

Ajay Tak S/o Jawaharlal Tak, Aged About 37 Years, R/o Ranawas,
P.s. Siriyari, Tehsil Marwar Junction District Pali. Raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Pramod Singh S/o Bhojawas, R/o P.s. Siriyari, Tehsil Marwar Junction, District Pali, Raj.
3. Kuldip Singh, R/o Sichana, P.s. Siriyari, Tehsil Marwar Junction ,district Pali, Raj.

-----Respondents

For Petitioner(s)	:	Ms. Jaya Bhati Mr. Rajendra Singh
For Respondent(s)	:	Mr. Shriram Choudhary, AGa

HON'BLE MR. JUSTICE FARJAND ALI

Order

10/02/2026

1. The present revision petition under Sections 397 and 401 Cr.P.C. has been preferred against the order dated 07.02.2025 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Pali in Criminal Case No.167/2024, whereby the learned Court accepted the final report dated 13.11.2024 submitted by the police.
2. The revision petition is reported to be delayed by 15 days. An application under Section 5 of the Limitation Act has been filed seeking condonation of delay. For the reasons stated therein, the application is allowed. The delay of 15 days in filing the revision

petition is condoned. The revision petition is thus treated within limitation and heard on merits.

3. It appears that the petitioner is the complainant in a criminal case wherein, after investigation, a negative final report came to be submitted by the Investigating Officer. The petitioner appeared before the learned Magistrate and sought time to file a protest petition. However, on the next date, upon his non-appearance, the learned Court proceeded to accept the final report.

4. Having considered the record, this Court is of the view that even if none appeared on behalf of the complainant to file a protest petition against the closure report submitted by the police, the learned trial Court was nonetheless under an obligation to independently examine the material collected during investigation and to record its satisfaction with regard to the conclusions drawn by the Investigating Officer. The Court is not expected to act merely upon the opinion of the Investigating Officer. Acceptance of a negative final report, without advertng to the grounds and material forming the basis of the investigation and without recording reasons indicating application of judicial mind, cannot be said to be a just and reasoned order.

5. In view of the above, the revision petition deserves to be allowed.

6. Accordingly, the revision petition is allowed. The order dated 07.02.2025 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Pali in Criminal Case No.167/2024 is set aside. The learned trial Court is directed to re-

register the case and within one month from the date of receipt of a certified copy of this order, the petitioner shall file a protest petition before the learned trial Court. Upon filing of the protest petition, the petitioner shall be heard. If he seeks to produce evidence in support of his protest petition, appropriate opportunity shall be afforded to him. Thereafter, the learned trial Court shall proceed to conduct the enquiry and pass orders in accordance with law as contemplated under the Code of Criminal Procedure.

7. The stay petition also stands disposed of.

(FARJAND ALI),J

86-Pramod/-