

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Revision Petition No. 1004/2026
CNR: RJHC010613782026 | URN: CRLR / 2238U / 2026

1. Manoj Meneriya S/o Girjashankar Meneriya, Aged About 38 Years, R/o Udaipur P.s. Hiranmgri District Udaipur.
2. Jony Jaat S/o Mahendra Singh, Aged About 27 Years, R/o 58 Paneriyo Ki Madree, P.s. Hiranmgri,district Udaipur.
3. Aashish Bhatt S/o Kanheya Lal, Aged About 29 Years, R/o Rundeda, Vallabnagar, P.s. Hiranmgri,district Udaipur.

-----Petitioners

Versus

1. State Of Rajasthan, PP
2. Nikhil Menaria, Resident Of 79. Panerio Ki Maddi, Policestation Hiranmagri, District Udaipur

-----Respondents

For Petitioner(s)	:	Mr. Anuj Sahlot
For Respondent(s)	:	Mr. Sri Ram Choudhary, PP Mr. Dilip Sharma

HON'BLE MR. JUSTICE KULDEEP MATHUR
ORDER

27/07/2026

1. The present criminal revision petition has been preferred under Sections 483/442 of BNSS assailing the order dated 01.06.2026 passed by the learned Sessions Judge, Udaipur in Sessions Case No.89/2026 arising out of FIR No.03/2026 registered at Police Station Hiran Magri, District Udaipur whereby the learned trial court has framed charges for the offences under Sections 126(2), 115(2), 110 and 3(5) of BNS.
2. Briefly stated, the prosecution case is that on 02.01.2026, the complainant Nikhil Menaria submitted a written report before the SHO of Police Station HiranMagri alleging *inter alia* that on the previous evening i.e. on 01.01.2026 at about 08:30 PM, while the

complainant was returning to his residence on a motorcycle, the petitioners and their associates, owing to previous enmity, wrongfully restrained him and assaulted him with blunt and sharp-edged weapons. The accused persons inflicted multiple injuries upon the complainant on various body parts including his head and private parts. Upon completion of investigation, the police filed a charge sheet under Sections 126(2), 115(2), 110 and 3(5) of BNS against the petitioner, thereafter the learned trial court framed charges against the petitioners vide the impugned order dated 01.06.2026

3. Learned counsel for the petitioners contended that the impugned order suffers from gross illegality and perversity and has been passed without proper appreciation of material available on record. It was further submitted that the petitioners have been falsely implicated in the present case owing to existing land dispute between the parties. Learned counsel submitted that the allegations are omnibus in nature and no specific overt act has been attributed to any individual petitioner.

4. Learned counsel further contended that even if the prosecution's case is accepted at its face value, no offence under Section 110 BNS is made out. To substantiate this contention, learned counsel submitted that none of the injuries sustained by the complainant are grievous in nature or on a vital body part so as to *prima facie* indicate the intention or knowledge contemplated under Section 110 BNS. Learned counsel further submitted that material collected by the investigating agency during the course of investigation does not disclose the requisite mens rea necessary to constitute the offence, and therefore, the learned trial court has

committed an error in framing charges under Section 110 BNS. It is therefore, prayed that the impugned order dated 01.06.2026 be quashed and set aside.

5. *Per Contra*, learned Public Prosecutor has opposed submissions made on behalf of the petitioners and submitted that the learned trial court has rightly framed charges against the petitioners upon due consideration of the material collected during the course of investigation. It was further submitted that the statements of witnesses recorded during the investigation and the medical evidence collectively disclose a strong *prima facie* case against the petitioners. It was, therefore, prayed that the revision petition deserves to be dismissed.

6. Heard learned counsel for the parties. Perused the material available on record.

7. It is well settled that while considering the question of framing of charge, the Court is only required to examine whether the material available on record discloses a *prima facie* case or raises a strong suspicion regarding the commission of the alleged offences. A meticulous appreciation of evidence or a determination as to whether the prosecution will ultimately succeed in securing conviction is wholly impermissible at this preliminary stage.

8. In the present case, the FIR as well as the statements recorded during the investigation attribute specific allegations against the petitioner of having intercepted the complainant and assaulted him while being armed with sharp and blunt weapons. The prosecution further alleges that blows were inflicted on the head and private part of the injured. Though the injury report records nine injuries and none of them has ultimately been opined

to be grievous or fatal in nature. The nature of injuries by itself cannot be regarded as conclusive while considering the applicability of Section 110 of BNS at the stage of framing of charge. The allegations have to be appreciated in conjunction with the manner of assault, the weapons allegedly used, the party of the body targeted and the previous allegations of threats extended by the petitioners.

9. The submissions advanced on behalf of the petitioners relating to absence of intention or knowledge, alleged false implication owing to previous disputes and the probability of conviction are essentially matters of defence which can only be examined after evidence is led before the trial Court. At this stage, this Court does not find any perversity, illegality or jurisdictional error in the order passed by the learned Sessions Judge warranting interference in exercise of revisional jurisdiction.

10. Consequently, this Court is of the considered opinion that the material collected during investigation discloses sufficient grounds for presuming that the petitioners have committed the offences alleged against them. The learned trial Court has rightly framed charges against the petitioners and no interference with the impugned order is called for.

11. Accordingly, the criminal revision petition, being devoid of merit, is dismissed. The order dated 01.06.2026 passed by the learned Sessions Judge, Udaipur in Sessions Case No.89/2026 is affirmed. All pending applications, in any, stand disposed of.

(KULDEEP MATHUR),J