

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

S.B. Criminal Miscellaneous (Petition) No. 5380/2026

CNR: RJHC010624312026

URN: CRLMP / 9621U / 2026

Narendra Kumar S/o Shri Kanaram, Aged About 51 Years, R/oc-1, arvind Nagar, Airforce Area, Kendriya Vidyalaya, Jodhpur.

----Petitioner

Versus

1. State Of Rajasthan, Through The Public Prosecutor.
2. Smt Santosh Devi W/o Shri Narendra Kumar, Aged About 49 Years, D/o Shri Ramkaran, Resident Of Devla Mada, Tehsil Degana, District Nagaur, Currently Posted As Anganwadi Worker, Devla Kalan, post Sirasana, Tehsil Degana, District Nagaur.

----Respondents

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For Petitioner(s) : Mr. Manvendra Singh Rathore  
Mr. Himanshu

For Respondent(s) : Mr. VS Rajpurohit, PP

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**HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

**Order**

**14/07/2026**

The present petition has been filed by the petitioner under Section 528 of BNSS for quashing of the order dated 11.06.2026 passed by learned Special Judge, SC/ST Cases, Merta in criminal revision petition No.29/2022.

Learned counsel for the petitioner submits that the order passed in the maintenance application filed by the wife was remanded in revision against which the present miscellaneous petition has been preferred. He further submits that the maintenance application was filed after a lapse of 16 years from the date of the first maintenance application, which had been

dismissed for non-prosecution on the part of the wife herself. It is further submitted that the wife had maintained herself for several years and that both she and her son are employed. However, the present maintenance application has now been filed.

He further submits that there was no justification for interfering with the order passed by the learned Trial Court, as the said order is just and valid. It is contended that the matter ought not to have been remanded for fresh consideration when there was no illegality in the impugned order, and that the learned Revisional Court itself could have decided the matter on merits.

This Court finds substance in the arguments raised by the counsel for the petitioner. The documents placed on record reflects that complainant was employed.

In view of the same, this Court is inclined to interfere in the matter.

Both the parties are directed to appear before Mediation Centre, Rajasthan High Court, Jodhpur on 27.07.2026 for mediation proceedings.

List the matter as soon as the mediation proceedings are completed along with the Mediator's report.

Meanwhile, till the next date of hearing, the effect and operation of the order dated 11.06.2026 passed by learned Special Judge, SC/ST Cases, Merta in criminal revision petition No.29/2022 (22/2022) shall remain stayed.

**(BALJINDER SINGH SANDHU),J**