

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

S.B. Criminal Miscellaneous Application No. 457/2026

CNR: RJHC010641222026

URN: CRLMA / 762U / 2026

1. Rewant Ram Kukna S/o Shri Kishnaram, Aged About 47 Years, Residents Of House No. E-1/2, Officer Colony, Jaipur Road, Police Station Sadar, Bikaner, District Bikaner (Rajasthan)
2. Smt Suman W/o Shri Rewant Ram Kukna, Aged About 45 Years, Residents Of House No. E-1/2, Officer Colony, Jaipur Road, Police Station Sadar, Bikaner, District Bikaner (Rajasthan)

-----Petitioners

Versus

1. State Of Rajasthan, Through Pp
2. Madhukar Bagadia S/o Shri Narayan Lal Bagadia, Resident Of C-10, Officer Colony, Jaipur Road, Police Station Sadar, Bikaner, District Bikaner (Rajasthan)

-----Respondents

For Petitioner(s) : Mr. Ankit Choudhary

For Respondent(s) : Mr. Pawan Kumar Bhati, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

16/07/2026

The present criminal misc. application has been filed by the petitioners under Section 528 of BNSS seeking recall of the order dated 02.07.2026 passed by this Court in S.B. CRLMP No.9421/2025 on the ground that the matter was disposed of on the basis of submission of the Public Prosecutor that charge-sheet has been filed. However the charge-sheet has not been filed and the matter is still pending consideration.

It is stated that the investigation is going on and in such circumstances the matter deserves to be heard on merits and the information furnished by learned Public Prosecutor was incorrect and in fact the charge-sheet has not been filed.

However, the Public Prosecutor upon information received states that investigation is still going on and due to inadvertence the present fact came to be recorded.

In view of the same, this Court finds that investigation is pending and the fact that charge-sheet has been filed was wrongly recorded. The matter deserves to be heard on merits and the petition was only closed on the ground that charge-sheet has been filed.

In such circumstances, order dated 02.07.2026 is recalled and S.B. CRLMP No.9421/2025 is restored.

Learned Public Prosecutor is directed to call for the fresh report.

List this Criminal Misc. petition on 30.07.2026.

Interim order, if any, shall also stand restored.

(BALJINDER SINGH SANDHU),J