

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 1455/2021

1. Om Prakash Pareek S/o Shri Ramniwas Pareek, Aged About 66 Years, Resident Of 58, Narsingh Vihar, Benar Marg, Jhotwara, Jaipur (Raj). 302012.
2. Alok Pareek S/o Shri Om Prakash Pareek, Aged About 45 Years, Resident Of 58, Narsingh Vihar, Benar Marg, Jhotwara, Jaipur (Raj). 302012.

----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Victim

----Respondents

For Petitioner(s)	:	Mr.Umesh Dixit
For Respondent(s)	:	Mr.Gaurav Gupta, Asst. GA.

JUSTICE ANOOP KUMAR DHAND

Order

07/05/2026

1. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned order dated 30.09.2019 passed by the Court of Additional Civil Judge & Metropolitan Magistrate No.25, Headquarter Chomu, District Jaipur in F.I.R. No.307/2019 registered at the Police Station Harmada, District Jaipur (West) by which a direction was issued by the Court concerned for conducting the medical examination of the accused and a direction was issued to submit the report of investigation.
2. At the very outset, learned Public Prosecutor apprised this Court that pursuant to the aforesaid order passed by this Court, the medical examination of the accused was conducted and on the

basis of the medical report pertaining to DNA of the accused, no case was found to be proved and during the course of the aforesaid proceedings, the accused-Om Prakash Pareek passed away on 25.04.2021, hence, under the changed circumstances, final report 'negative' was submitted on the basis of the factum of death of the deceased-accused, hence, under the changed circumstances, no cause of action survives with the petitioner.

3. Considering the above factual aspect of the matter, the present petition is dismissed as abated qua the petitioner No.1.

4. The instant petition has become infructuous qua the petitioner No.2.

5. Stay application and all pending application(s), if any, also stand dismissed.

(ANOOP KUMAR DHAND),J