

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Revision Petition No. 548/2023

Hari Singh @ Rohitash Son Of Shri Mewaram

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Hem Singh Rathore

For Respondent(s) : Mr. Laxman Meena, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

12/09/2023

Order dated 05.04.2023 was under challenge wherein petitioner was charged under Sections 363, 342, 376(2)(n) IPC and Section 5/6 POCSO Act. The documents annexed with the petition clearly indicate that police after having recorded the statement under Section 161 CrPC on three occasions during investigation and also recorded statement under Section 164 Cr.P.C. recommended charge under Sections 363, 354, 342 IPC and Section 7/8 POCSO Act. The fact of the matter is learned trial court on the basis of statement under Section 161 Cr.P.C. including supplementary statement under Section 164 Cr.P.C. has proceeded to frame charges under Section 376(2)(n) IPC and Section 5/6 POCSO Act, therefore, it would be appropriate to call for order of cognizance passed by the trial court.

Office is directed to call for a copy of order-sheet from presentation of charge-sheet till date.

In the meanwhile, further proceedings in the matter shall remain stayed.



[CRLR-548/2023]

List on 11.10.2023.

(ASHOK KUMAR JAIN),J

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