

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous (Petition) No.7972/2019

1. Prabhakar Sharma Son Of Shri Kishan Lal Sharma, Resident Of Pooja Marg, Dhannadi Road, Dholabhata, Alwar Gate, Ajmer, Rajasthan.
2. Kishan Lal Sharma Son Of Shri Mangi Lal Sharma, Resident Of Pooja Marg, Dhannadi Road, Dholabhata, Alwar Gate, Ajmer, Rajasthan.
3. Dipti Sharma Wife Of Shri Prabhakar Sharma, Resident Of Pooja Marg, Dhannadi Road, Dholabhata, Alwar Gate, Ajmer, Rajasthan.
4. Kamla Wife Of Shri Kishan Lal Sharma, Resident Of Pooja Marg, Dhannadi Road, Dholabhata, Alwar Gate, Ajmer, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Mamta Lamani, Daughter Of Shri Shivappa Lamani, Resident Of Near Debagud Railway Station, Village Kajjari, Post Rani Bennur, District Haveri, Karnataka.

----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Jitendra Singh Rathore, PP

JUSTICE ANOOP KUMAR DHAND

Order

29/04/2026

1. The instant misc. petition is listed before this Court in pursuance of the directions issued by the Hon'ble Apex Court in the case of **Vijay Kumar and Ors. Vs. State of Rajasthan** (Petition for Special Leave to Appeal (Crl.) No. 773/2026, decided on 15.01.2026), wherein the Hon'ble Apex Court observed that in various matters, interim orders have been passed in criminal

revision petitions and petitions filed under Section 482 Cr.P.C., as a result of which trial relating to serious offences such as murder, rape, dacoity, dowry death, etc., could not proceed and remained stalled/held up due to the passage of considerable time.

2. Directions have been issued to this Court and other High Courts to take up such like matters which are pending since long, on priority and decide the same expeditiously without deferring the hearings to subsequent dates.

3. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned FIR No.333/2019 registered with the Police Station Ganj, District Ajmer for the offences punishable under Sections 420, 366, 376, 376(2)(n) and 312 IPC, Sections 3(1)(w) & 3(2)(v) of the SC/ST Act.

4. At the very outset, learned Public Prosecutor apprised this Court on the basis of the factual report received from the Deputy Superintendent of Police, Circle Dargah, Ajmer dated 05.04.2026, wherein it has been indicated that the prosecutrix has solemnised marriage with the petitioner No.1 on 17.06.2021 and out from their wedlock, one issue has born and now the prosecutrix is not interested in prosecuting the matter. Learned counsel submits that the investigation could not proceed further on account of an interim order dated 07.01.2020 passed by this Court, hence, under these circumstances, appropriate orders be passed.

5. Considering the above material aspect of the matter and the subsequent event which has occurred after registration of the impugned FIR which indicates that during pendency of the instant petition the prosecutrix has solemnised marriage with the petitioner No.1 and out from their wedlock one issue has born,

this Court deems it just and proper to dispose of the instant petition, granting liberty to the Investigating Agency to submit conclusion report in pursuance of the statements of the prosecutrix recorded before the concerned Court under Section 173 Cr.P.C.

6. With the aforesaid observations, the instant criminal misc. petition stand disposed of. Stay application as well as all pending applications, if any, stand disposed of.

7. The petitioners would be at liberty to approach this Court again, in case, charge-sheet is submitted against them for the above alleged offences.

(ANOOP KUMAR DHAND),J