

(2023) 12 RAJ CK 0050

In the Rajasthan High Court

Case No : Criminal Miscellaneous Application No. 490 Of 2023

Jogeshwar Garg And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 12-12-2023

Acts Referred:

Citation : (2023) 12 RAJ CK 0050

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Dharendra Singh, Priyanka Borana, Laxman Solanki

Final Decision : Disposed Of

Judgement

Dinesh Mehta, J

1. The present application has been filed by the applicants seeking recalling of the order dated 11.12.2023 passed in S.B. Criminal Misc. Petition No. 4553/2021.
2. Mr. Dharendra Singh, learned Senior Counsel submitted that yesterday (on 11.12.2023), learned Public Prosecutor mentioned the matter without informing him and got the matter disposed of on the basis of a factual report, which apparently did not relate to the case in question.
3. Heard, learned Senior Counsel and perused the factual report, on the basis whereof the case has been disposed of.
4. On perusal of the factual report, this Court finds that the factual report dated 08.12.2023, which has been relied upon by the learned Public Prosecutor relates to FIR No.36/2020, dated 18.02.2020, registered at Mahila Police Station (East), Jodhpur, whereas FIR impugned in the present matter is FIR No.36/2020 dated 07.02.2020, registered at Mahila Police Station, Jodhpur City (West). Even the names of the accused persons and complainant are also different.
5. This being the position, the order dated 11.12.2023, passed by this Court in

S.B. Criminal Misc. Petition No.4553/2021 is, hereby, recalled.

6. The application stands disposed of accordingly.

7. Needless to observe that as a consequence of recalling of the order dated 11.12.2023, the interim order dated 27.08.2021 shall stand revived.