HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Revision Petition No. 1697/2026
CNR: RJHC020839742026 | URN: CRLR / 3075U / 2026

1 Vishal S/o Sh. Krishanand, Aged About 19 Years, R/o Ward No. 05, Danta, Police Station Dantaramgarh, District Sikar (Raj.)

2 Shivcharan S/o Rajkumar, Aged About 19 Years, R/o Ward No. 03, Danta, Police Station Dantaramgarh, District Sikar (Raj.)

3 Manoj S/o Babulal, Aged About 20 Years, R/o Ward No. 03, Danta, Police Station Dantaramgarh, District Sikar (Raj.)

----Petitioners

Versus

1 State Of Rajasthan, Through The Public Prosecutor.

2 Pankaj Kumar Son Of Suresh Kumar, R/o Ward No. 29, Danta, Dantaramgarh, District Sikar

----Respondents

For Petitioner(s) : Mr. Ashvin Garg
For Respondent(s) : Mr. Jitendra Singh Rathore, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

30/10/2026

1. The Criminal Revision Petition is preferred under Section 438 of the BNSS, challenging the impugned order dated 17.02.2026, passed by the learned Additional Sessions Judge, Dantaramgarh, District Sikar, in Sessions Case No.11/2025, whereby directions were given against the petitioners for framing the charges under Sections 307, 323, 341, 504, 427 and 34 of the IPC.

2. Learned counsel for the petitioner submits that prima facie, there was no material available on record against the petitioners

to frame charges under Section 307 of the IPC. While referring to the observation made in the bail order of the petitioners, it further contends that the Court which granted anticipatory bail to the petitioners also observed that the invocation of Section 307 of the IPC remained unexplained by the Investigating Officer, when he was called for. It is also contended that the incident was shown to have occurred on 02.11.2023 at 10:30 PM. It is also contended that the medical examination of the three injured, Pankaj Jangid, Anil Jangid and Rahul Jangid, was conducted at 08:40 PM and 10:40 PM, respectively. Thus, the medical examination of injured Pankaj Jangid was conducted before the incident, i.e., at 08:40 PM. It is also contended that the report was lodged on 04.11.2023. It is also contended that, before another incident took place between the injured and the petitioners, the matter was resolved at the Police Station itself at 07:30 PM on 02.11.2024; thus, this report was lodged with the intention of implicating the petitioners after the fact on 04.11.2023. It is also contended that there is no enmity between the parties before the incident. Therefore, the impugned order directing framing of charges against the petitioners under Section 307 IPC is against the material available on record.

3. Learned Public Prosecutor has vehemently opposed the revision petition and contended that prima facie there was a statement of the witnesses indicating the fact that the petitioners admitted to running over the vehicle by hitting the motorcycle on which the injured were riding. Though there are certain discrepancies regarding the injuries sustained by the injured, they can be clarified only at the stage of trial. The law settled that even

if an iota of doubt exists about framing of the charge, then only on the basis of suspicion the accused cannot be discharged; therefore, the revision petition of the petitioners may be dismissed.

4. Heard and perused the material available on record.

5. It is a settled law that, for framing of the charges, the Trial Court is required to take into consideration the material placed on record at the stage of charge; the Trial Court is not required to hold a mini inquiry or to express pros and cons about the discrepancies that occurred in the statements and the other corroborative pieces of evidence available on record. These discrepancies can be clarified only during trial. In the present matter, however, from perusal of the charge-sheet, it appears that the injured Pankaj Jangid was examined at 08:40 PM, i.e., before the alleged incident took place; however, the other injured were examined on 02.11.2023 at 10:40 PM, i.e., after the incident occurred. Therefore, these minor discrepancies cannot become the basis to conclude at the stage of framing of charge to discharge the accused-petitioners under Section 307 of IPC; therefore, considering the aforesaid facts, this Court is not inclined to interfere with the petitioners.

6. Accordingly, the criminal revision petition is hereby dismissed.

7. All pending applications, if any, shall also stand disposed of.

(PRAVEER BHATNAGAR),J

8/KESHAV GHIYA