HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Revision Petition No. 991/2022
CNR: RJHC010547902022 | URN: CRLR / 2360U / 2022

Ramesh Kumar S/o Joraram, Aged About 23 Years, R/o Kanasar, Police Station Baap Dist. Jodhpur. (Presently Lodged At Sub Jail, Pokaran)

----Petitioner

Versus

State of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Bhanwaru Ram
For Respondent(s)	:	Mr. Narendra Gehlot, PP.

HON'BLE MR. JUSTICE KULDEEP MATHUR

ORDER

07/08/2026

1. The instant revision petition has been preferred by the petitioner under Section 397 read with Section 401 Cr.P.C. assailing the order dated 20.07.2022 passed by the learned Additional Sessions Judge, Pokhran in Sessions Case No.09/2022, whereby the learned trial Court ordered framing of charges against the petitioner for the offences punishable under Sections 302, 201 and 504 IPC and Section 3/181 of the Motor Vehicles Act.

2. Heard learned counsel for the petitioner and learned Public Prosecutor at Bar. Perused the material available on record.

3. The scope of interference in revisional jurisdiction against an order framing charge is limited. At the stage of framing charge, the Court is not required to conduct a meticulous appreciation of evidence and is only required to see whether the material on

record raises a grave suspicion against the accused. However, the existence of such suspicion must be founded on material which *prima facie* discloses the essential ingredients of the particular offence charged.

4. In the present case, a perusal of the FIR, charge-sheet and the statements of the witnesses recorded by the Investigating Agency under Section 161 Cr.P.C. reveals specific allegations against the petitioner that he ran the Bolero vehicle over deceased Ajaypal. It has further been alleged by the prosecution that the petitioner dragged the deceased on the bumper of the vehicle for about 400 metres towards Talariya with an intention to kill him. In the opinion of this Court, the said version finds corroboration from the post-mortem report of the deceased, wherein the cause of death has been opined as *"haemorrhagic shock due to multiple penetrating injuries"*. The statements of the eye-witnesses recorded under Section 161 Cr.P.C. specifically indicate that the petitioner hit the deceased with the vehicle and thereafter dragged him for about 400 metres while he remained stuck to the bumper of the vehicle. The material available on record, therefore, *prima facie* discloses the circumstances constituting the alleged offence.

5. TThe submissions advanced on behalf of the petitioner regarding absence of intention or *mens rea*, there being no previous animosity or dispute with the deceased and the probability of conviction are essentially matters of defence, which can be examined by the learned trial Court after the evidence is led by the parties. At this stage, this Court is not required to undertake a detailed examination of the defence of the petitioner or to assess the probative value of the material collected during

investigation. This Court, therefore, does not find any perversity, illegality or jurisdictional error in the order passed by the learned trial Court warranting interference in exercise of revisional jurisdiction.

6. In view of the aforesaid discussion, this Court is of the considered opinion that the material collected during investigation, including the statements of the witnesses recorded under Section 161 Cr.P.C., discloses sufficient grounds for presuming that the petitioner has committed the offences alleged against him. The learned trial Court has rightly framed the charges against the petitioner and no interference with the impugned order is called for.

11. Accordingly, the criminal revision petition, being devoid of merit, is dismissed. The order dated 20.07.2022 passed by the learned Additional Sessions Judge, Pokhran in Sessions Case No.09/2022 is affirmed. All pending applications, if any, stand disposed of.

(KULDEEP MATHUR),J

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