

Dharam Pal and ors Vs. State and anr

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Court : Rajasthan Jodhpur

Decided On : Feb-26-2013

Appellant : Dharam Pal and ors

Respondent : State and anr

Judgement :

1. S.B. CRIMINAL MISC. PETITION NO. 1609/2012 (Dharam Pal & Ors. Vs. The State of Rajasthan & Anr.) DATE OF ORDER :

26. 2.2013 HON'BLE MR. JUSTICE SANDEEP MEHTA Mr. S.K. Dadhich, for the petitioners. Mr. O.P. Singaria, Public Prosecutor. The instant misc. petition has been filed on behalf of the petitioners challenging the order dated 8.6.2012 passed by the learned Addl. Sessions Judge (Fast Track), No.2, Hanumangarh, Head Quarter Nohar in revision, whereby, the order dated 2.6.2009 passed by the learned Addl. Chief Judicial Magistrate, Nohar, Distt. Hanumangarh taking cognizance against the petitioners for the offences under Sections 147 and 323 IPC has been affirmed. In this case, the petitioner has failed to provide fresh address of the respondent No.2 despite the peremptory order dated 7.1.2013. Having heard learned counsel for the parties and upon perusal of the orders impugned passed by the learned courts below, this court is of the opinion that the learned trial court has given substantial reasons for taking cognizance against the petitioners for the aforesaid offences. The order taking cognizance is an ex parte order and has also been affirmed in revision as well.

2. Resultantly, the misc. petition as well as the stay petition being bereft of any force are hereby dismissed. However, the petitioners shall be at liberty to raise all their contentions before the trial court at the appropriate stage. (SANDEEP MEHTA), J.

ms rathore

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