

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18259 of 2015

Arising Out of PS.Case No. -206 Year- 2007 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

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1. Gopal Pandey son of Late Saligram Pandey,
2. Dulari Devi, wife of Late Saligram Pandey, Both are residents of village-
Fatehpur, P.S.- Nalanda, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi, wife of Sri Gopal Pandey, resident of village- Fatehpur, P.S.-
Nalanda, District- Nalanda, at present daughter of Sri Sitaram Pandey, resident of
village + Post- Babhana, P.s. + District- Jehanabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.13

For the Opposite Party/s : Mr. N. Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-04-2015

This application under section 482 of the Code of Criminal Procedure has been filed for quashing the entire criminal prosecution of the petitioners in connection with Silao P.S. Case No. 206 of 2007 dated 04.06.2007 pending in the court of Judicial Magistrate 1st Class, Nalanda at Biharsharif.

The allegations made in the F.I.R. attracts the ingredients of offence punishable under section 498-A of the Indian Penal Code. On conclusion of investigation, the police submitted charge sheet on 31st October, 2007 for the offence punishable under section 498-A read with 34 of the Indian Penal Code, pursuant to

which the Magistrate concerned took cognizance of the offence way back in the year 2007 itself. On enquiry, learned counsel for the petitioner has fairly conceded that after framing of charge the trial is going on and witnesses are being examined on behalf of the prosecution.

It is well settled that once charges are framed, the matter has to conclude either in acquittal or in conviction.

I am not inclined to entertain this application at this belated stage. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

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