

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42840 of 2012

1. Narad Singh Late Firangi Singh R/O,Vill.-Itahari,P.O.-Bagaura,P.S.-
Rasulpur,Dist.-Saran

.... Petitioner/s

Versus

- 1. The State Of Bihar
- 2. Hit Narayan Singh Late Kewal Singh R/O,Vill.-Itahari,P.O.-
Bagaura,P.S.-Rasulpur,Dist.-Saran
- 3. Shailendra Singh Late Kewal Singh R/O,Vill.-Itahari,P.O.-Bagaura,P.S.-
Rasulpur,Dist.-Saran
- 4. Babban Singh Late Kapildeo Singh R/O,Vill.-Itahari,P.O.-Bagaura,P.S.-
Rasulpur,Dist.-Saran
- 5. Sanjay Singh Late Raj Narain Singh R/O,Vill.-Itahari,P.O.-Bagaura,P.S.-
Rasulpur,Dist.-Saran
- 6. Surendra Singh Late Bhuneshwar Singh R/O,Vill.-Itahari,P.O.-
Bagaura,P.S.-Rasulpur,Dist.-Saran
- 7. Ramendra Singh Late Bhuneshwar Singh R/O,Vill.-Itahari,P.O.-
Bagaura,P.S.-Rasulpur,Dist.-Saran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

For the Opposite Party/s : Mr. Manoj Kumar(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 21-05-2015

The petitioner filed a complaint on 23-2-2000 before the police station, Rasulpur alleging offences punishable under sections 147, 148, 149, 323 and 379 of the Indian Penal Code. A first information report was registered, and the same is being tried by the court of Judicial Magistrate, 1st Class, Chapra, as G.R.No. 612/00/Tr.3160/12. During the course of trial, the petitioner wanted to file a copy of the order dated 8-9-2009 passed by the Executive Magistrate, Sadar, Chapra in case No. M 2/9/08. The trial court rejected the application on 4-6-2012. Aggrieved by that, the petitioner filed Cr.Rev. No.206/12 in the court of 4th Additional District and Sessions Judge(Fast Track Court) at Chapra. That was dismissed on 19-9-2012. The said order is challenged in this criminal miscellaneous petition.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor.

3. It is rather surprising that the case which was registered in the year 2000 is still pending on account of one party or the other not permitting the case to proceed.

4. Once the F.I.R. has been registered and cognizance has been taken by the trial court, it is for the Public Prosecutor to conduct the case. The complainant can, at the most, assist the Public Prosecutor. He cannot independently participate in the proceeding on his own accord, much less he can file application. The trial court and the revisional court have taken correct view of the matter, and this Court is not inclined to interfere with the orders that are challenged in this petition. It is, accordingly, dismissed.

5. If the case is still pending, the trial court shall dispose it of within two months from the date of receipt of a copy of this order without any fail.

(L. Narasimha Reddy,CJ)

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