

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.762 of 2014

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Pankaj Kumar son of Late Kedar Nath Prasad, Resident of C/o Smt. Indu Kumari Sinha, Road No. 1, Rajendra Nagar, Near Anirudh Gas Seva, P.S. - Kadamkuan, District- Patna. Permanent Address - Rajendra Nagar, Road No. 8, "B", P.S. - Kadamkuan, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Home, Government of Bihar, Patna.
2. The Senior Superintendent of Police, Patna.
3. SHO, Kadamkuan Police Station, Patna.
4. M/S Shreya Construction through its Proprietor Sri Amrendra Kumar Sinha, Resident of Mohalla - Khajanchi Road (Near Clinic of Dr. Niraj Kumar, P.S. - Pirbahore, P.O. - Bankipur, District- Patna -4).

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Tej Pratap Singh, AC to GP 17

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 06-04-2015 The present writ petition has been filed for a direction to the Superintendent of Police, Patna to expedite the FIR lodged on 10.08.2013, vide Kadamkuan P.S. Case no.305 of 2003, for alleged offences under Sections 406 and 420 of the Indian Penal Code, instituted as per the direction of the Chief Judicial Magistrate, Patna in Complaint Case No.2523 (C) of 2013 and to suitably punish the accused persons.

2. None appears on behalf of the petitioner when the matter is called out.

3. Learned counsel for the State, on the other hand, submits that the writ petition itself has become infructuous.

He refers to the counter affidavit filed on behalf of the respondent no.3 indicating that soon after receipt of the complaint, it has been referred to the police under Section 156(3) of the Code of Criminal Procedure and the investigation has commenced and after detailed investigation into the matter, charge sheet came to filed against the FIR named accused Amrendra Kumar Sinha for the offence under sections 406 and 420 of the Indian Penal Code.

4. Having regard to the fact that charge sheet has already been filed in the case and, therefore, now the Investigating Officer has no role to play in the matter of investigation, the writ petition stands, accordingly, dismissed.

(Vikash Jain, J)

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