

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9048 of 2013

Arising Out of PS.Case No. -224 Year- 2011 Thana -AURANGABAD District- -

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1. Guncha Sanowar, daughter of Late Mostaque Ahmad
2. Parwez Alam, S/O Late Mostaque Ahmad
3. Afroz Alam, S/O Late Mostaque Ahmad
4. Safina Khatoon W/O Late Mostaque Ahmad
All resident of Mohalla Shahganj P.S. Town (Aurangabad) District
Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Wali Azam, son of late Md.Isha, resident of village-Kurmha, P.S.-
Jamhor, District-Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh
For the Opposite Party no.1 : Mr. Pramod Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 19-05-2015 When the matter has been taken up for consideration on merit, a supplementary affidavit on behalf of the petitioners is being filed, which is taken on the record.

Learned counsel appearing on behalf of the petitioners, by referring to the averments made in the aforesaid supplementary affidavit, submits that during the pendency of the present application the matter has been compromised between the accused persons including the petitioners and the opposite party no.2. However, according to him, in view of the order of stay passed by a Bench of this Court on 03.01.2014, the final order has not been passed by the learned court below about the compromise petition filed by the parties.

Despite issuance of show cause notice to the opposite party no.2, none appears on his behalf to support the factum of the

aforesaid compromise between the parties.

Be that as it may, since it is contended that the matter has been compromised between the parties, therefore, the present application is disposed of with a direction to the learned court below to pass appropriate final order, if compromise petition is filed by the parties. However, final order on the petition of compromise shall be passed only after giving an opportunity of hearing to the petitioners as also the informant, besides others, if any.

The order of stay passed by a Bench of this Court on 03.01.2014 is hereby vacated.

The present application stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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