

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40143 of 2012

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1.Harendra Singh son of Ram Balak Singh
2.Renu Devi wife of Harendra Singh
Both resident of village - Sanjay Gandhi Ward Jabalpur, P.S.-
Jabalpur (Town), District- Jabalpur (Madhya Pradesh)
3.Mukesh Kumar @ Mukesh Kumar Singh son of Ram Balak Singh
4.Sita Devi wife of Mukesh Kumar @ Mukesh Kumar Singh
Both resident of village- Hardiya, P.S.-Jagdishpur, District-Bhojpur
5.Amrendra Singh @ Amrendra Kumar Singh @ Amrendra Kumar son of
Bajjnath Singh
6.Munni Singh @ Munni Devi wife of Amrendra Kumar Singh @
Amrendra Singh @ Amrendra Kumar
Both resident of village- Hadiya Bad, P.S.-Aayar, District- Bhojpur
7. Umesh Singh son of Ram Balak Singh, resident of village-Hardiya, P.S.-
Jagdishpur, District- Bhojpur

.... Petitioner/s

Versus

1.State of Bihar
2.Rubi Singh daughter of Rajendra Singh, resident of village-Nasratpur,
P.S.-Sandesh, District- Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party No.2 : Mr. Rajeev Ranjan No.-II, Advocate
For the State : Dr.Indiwar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 15-04-2015 Learned counsel for the petitioners has submitted that during the pendency of this application seeking quashing of the FIR in connection with Sandesh P.S. Case No.62 of 2012, the police have submitted charge-sheet and the Magistrate concerned has already taken cognizance of the offence. He has further contended that the petitioners have filed an interlocutory application vide I.A. No.597 of 2015 seeking amendment in the prayer made in the original application. In the interlocutory

application the petitioners have sought for leave of this Court to challenge the order taking cognizance of the offence against the petitioners.

In my view, due to subsequent developments, the present application has become infructuous. Accordingly, this application is disposed of as infructuous.

So far as the impugned order dated 19.12.2013 passed by the learned Judicial Magistrate, 1st Class, Arrah at Bhojpur is concerned, the same would give a fresh cause of action to the petitioners and they would be at liberty to challenge the same by filing another appropriate application before this Court. Accordingly, the interlocutory application is disposed of.

The Registry is directed to return the original copy of the order sought to be challenged in I.A. No.597 of 2015 to the learned counsel for the petitioners if he furnishes a Xerox copy of the same. In that event, the Registry shall retain the Xerox copy of the order on record.

(Ashwani Kumar Singh, J)

Md.S./-

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