

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14292 of 2013

Arising Out of PS.Case No. -1 Year- 2012 Thana -CIVIL LINE District- GAYA

Sri Umesh Bharti, son of Late Sidhi Bharti, r/o. Pita Maheshwar, P.S.Civil
Line, Dist. Gaya, Bihar.

.... Petitioner/s

Versus

1. State of Bihar
2. Sangita Devi, w/o. late Sandeep Bharti, Pita Maheshwar, P.S.Civil
Line, Gaya, Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Mishra, Advocate
For the OP No.2 : None
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 09-07-2015 Heard learned counsel for the petitioner. Notice was issued to the
OP No. 2 who refused to receive the same and none is also present on her
behalf when the matter is called today.

2. The present application has been filed for quashing the First
Information Report lodged by the OP No.2 bearing Civil Lines (Gaya) P.S.
Case No. 01 of 2012 for the offence under Sections 498(A), 341, 323, 342,
343, 379, 504 and 506 of the Indian Penal Code and Sections 3 and 4 of
the D.P. Act.

3. At the very outset learned counsel for the petitioner states that
charges have been framed in 2013 and the matter has gone to trial, but
the OP No. 2 is not appearing in the trial nor any witnesses have been
examined.

4. In the above circumstances, the present petition is disposed of
with a direction that the learned court below shall proceed with the trial

and conclude the same expeditiously, preferably within a period of three months from today.

5. It is made clear that in case the informant or prosecution fails to produce its witnesses within a stipulated period of three weeks hereof, the learned Court below shall not allow delay on that account, rather it should close the prosecution case and proceed to the next stage of the trial.

(Vikash Jain, J)

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