

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1010 of 2014

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Subhadra Devi Wife of Late Tejnarayan Singh Resident of Village and
P.O.-Bankatwa, P.S.-Jitna, District-East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Home Department, Govt. of
Bihar, Patna.

2. The Director General of Police, Bihar, Patna.

3. The Director General, Bihar Human Right Commission, Patna.

4. The Deputy Inspector General of Police (hereinafter referred to as "the
D.I.G.), Champaran, Bettiah.

5. The Incharge Director, Bihar Forensic Science Laboratory, C.I.D., Bailey
Road, Patna.

6. The Superintendent of Police, East Champaran at Motihari.

7. The S.D.P.O., Motihari.

8. The S.H.O., Jitna Police Station, East Champaran.

9. The Investigating Officer of Jitna P.S. Case No.10/2003, Jitna Police
Station, East Champaran.

.....Respondents

10. Satish Kumar Ranjan @ Chhotu Son of Late Ram Nirajan Singh
Resident of Village and P.S.-Hajipur (Town), District-Hajipur at Vaishali.

.... Private Respondent

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

5 29-07-2015

Learned counsel for the parties are present.

Pursuant to order dated 28.07.2015, the Director, Forensic Science Laboratory, Bihar, Patna is present and files show cause. The Chief State Examiner of Questioned Documents-cum-Director, Police Laboratory, C.I.D., Bihar, Patna is also present.

The present application has been filed seeking a direction to the respondents to submit the enquiry report as directed by the Court by order dated 06.02.2013 for comparison of the signature on the compromise by the Director, Forensic Science Laboratory, Bihar, Patna.

From the show cause filed on behalf of various respondents, it appears that the matter relating to comparison of signature is conducted by the Police Laboratory, C.I.D., Bihar, Patna and accordingly even though such direction was issued to the Forensic Science Laboratory, Bihar, Patna, it was duly forwarded to the Police Laboratory, C.I.D., Bihar, Patna. The stand is that due to procedural requirement of attestation of the specimen for such test not having been done, the request was made to complete the said formalities through an order of the Court, which is still pending.

Learned counsel for the State has submitted that though initially the police had made prayer for comparison of the signature on compromise petition, but on 24.07.2015 the police have again filed an application before the court concerned to recall the said order for comparison as the same in the facts and circumstances of the case at hand is redundant as far as investigation is concerned. It is submitted that due to pendency of the present application the court below is not proceeding to pass appropriate orders on the said petition dated 24.07.2015.

Taking into account the unconditional and unqualified apology tendered by the two officers present in Court today, the Court does not propose to proceed further in the matter against them. Further, their appearance is dispensed with.

In view of the aforesaid, the application stands disposed off.

However, the petitioner shall be at liberty to take appropriate action in accordance with law before the court concerned.

(Ahsanuddin Amanullah, J)

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