

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48190 of 2014

Arising Out of PS.Case No. -415 Year- 2010 Thana -LAHERIASARAI District- DARBHANGA

1. Purushottam Kumar Singh @ Purushotam Kumar Singh Son of Late Shatrughan Prasad Singh @ Shatrughan Singh resident of Mohalla- Balbhadrapur, P.S.- Laheriasarai, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Madhu Rani Daughter of Late Munindra Pandey resident of Mohalla- Balbhadrapur (behind the Pustak Bhandar), P.S.- Laheriasarai, District- Darbhanga

.... Opposite Party/s

with

Criminal Miscellaneous No. 49342 of 2014

Arising Out of PS.Case No. -367 Year- 2009 Thana -LAHERIASARAI District- DARBHANGA

1. Purushottam Kumar Singh @ Purushotam Kumar Singh Son of Late Shatrughan Prasad Singh @ Shatrughan Singh Resident of Mohalla - Balbhadrapur, P.S - Laheriasarai District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Madhu Rani Daughter of Late Munindra Pandey resident of Mohalla - Balbhadrapur (behind teh Pustak bhandar), P.S - Laheriasarai, District - Darbhanga.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No. 48190 of 2014)

For the Petitioner/s : Mr. Manish Kumar No. 13, Adv.

For the State : Mr. Shardanand Jha, A.P.P.

(In Cr.Misc. No. 49342 of 2014)

For the Petitioner/s : Mr. Harish Kumar No. 12, Adv.

For the State : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-07-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of

cognizance dated 10.4.2012 passed in T.R. No. 1423 of 2012, G.R. No. 2561 of 2010 arising out of Laheriasarai P.S. Case No. 415 of 2010 by the Judicial Magistrate, 1st Class, Darbhanga.

It has been submitted that now the matter has been resolved as is evident from Annexure 4.

Considering such circumstances, the application is allowed and the order of cognizance dated 10.4.2012 passed in T.R. No. 1423 of 2012, G.R. No. 2561 of 2010 arising out of Laheriasarai P.S. Case No. 415 of 2010 by the Judicial Magistrate, 1st Class, Darbhanga, is hereby set aside.

Cr. Misc. 49342 of 2014

The cases are being heard together because the Parties had sought that the cases be clubbed together but none appears on behalf of the Opposite Party in the next case.

The very same Petitioner seeks quashing of the order dated 10.4.2012 passed in T.R. No. 292 of 2012, G.R. No. 3074 of 2009, arising out of Laheriasarai P.S. Case No. 367 of 2009 by the Judicial Magistrate, 1st Class, Darbhanga.

It has been submitted that subsequently, the Informant appeared before the Court below and stated that a decree of divorce be granted on mutual terms as is evident from Annexure-4 filed in Cr. Misc. 4198 of 2014.

Considering the factual aspects, the application is allowed and the Proceeding including the order dated 10.4.2012 passed by the Judicial Magistrate, 1st Class, Darbhanga, in T.R. No. 292 of 2012, G.R. No. 3074 of 2009 arising out of Laheriasarai P.S. Case No. 367 of 2009, is hereby set aside.

(Anjana Prakash, J)

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