

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37977 of 2016

Krishnendu Chatterjee S/o Arobindo Chatterjee R/o 79A, Ravindra Palli,
Faizabad Road, Lucknow, PS- Gazipur, District- Lucknow- 16, Uttar
Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumkum Roy D/o Late Nihar Kanti Roy R/o M- 6, S.K. Nagar, Patna,
PS- Buddha Colony, District- Patna at present S/203 Ram Raj Mahal,
North Mandiri, Bana Ghat, Ps- Buddha Colony, District- Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr. Devendra Kr Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 31-08-2016

The present application was initially filed for initiating contempt proceeding against opposite party no. 2 for concealing the fact with regard to the matrimonial suits filed by her at Lucknow and Patna while opposing the prayer for bail of the petitioner preferred vide Cr. Misc. No. 38215 of 2015 in connection with Complaint Case No. 955(C) of 2011 wherein processes were directed to be issued after cognizance being taken under Section



498A of the Indian Penal Code, pending in the court of learned Judicial Magistrate, Ist Class, Patna. The further prayer has been made for modification of the order dated 29.01.2016 passed in Cr. Misc. No. 38215 of 2015 to the extent of extending the period for conclusion of the trial as this Court directed for conclusion of the trial preferably within a period of one year.

It appears that the petitioner confines his prayer only to the extent for extending the period of conclusion of the trial and hence, petitioner was permitted to convert the MJC application into Cr. Misc. No. 37977 of 2016.

It is submitted by learned counsel for the petitioner that the period for conclusion of the trial be extended in view of the order dated 04.04.2016 passed by Hon'ble Supreme Court in Transfer Petition (Civil) No. 517 of 2016, whereby the Hon'ble Supreme Court directed the learned Principal Judge, Family Court, Patna to make endeavour to negotiate an amicable settlement between the parties. Hence, there is no likelihood of conclusion of the trial within a period of one year.

This Court is not inclined to entertain such prayer for modification, but it is expected from the learned court below to proceed in the matter keeping in view of the order of the Supreme Court dated 04.04.2016 passed in Transfer Petition (Civil) No.

517 of 2016.

Accordingly, this modification application is

disposed of.

(Dinesh Kumar Singh, J)

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