

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42024 of 2013

Arising Out of PS.Case No. -77 Year- 2012 Thana -KOTWALI District- PATNA

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Pradip Jain Son Of Late Sunil Kumar Jain Resident Of 33,34 Prakash Punj
Apartment, Kavi Raman Path, Police Station Budha Colony, District - Patna

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Adv.
For the State Mr. Md. Aslam Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner has prayed for quashing the order dated
15.06.2013 passed in Kotwali P.S. Case No. 77 of 2012 by learned
Chief Judicial Magistrate, Patna by which and whereunder he
having perused the charge sheet and case diary took cognizance of
the offences punishable under Sections 406, 408 and 448 of the
Indian Penal Code against the petitioner.

It would appear from perusal of Annexure-1 to the
petition that Kotwali P.S. Case No. 77 of 2012 was registered
against the petitioner for the offences punishable under Sections
406, 408 and 448 of the Indian Penal Code on the accusation that
he misappropriated the articles of a trust. The matter was



investigated and after completion of the investigation police submitted charge sheet against the petitioner. The court below having found material on the case diary took cognizance of the offences against the petitioner.

However, in course of hearing, it is informed on behalf of the State that charge against the petitioner has already been framed.

Since the learned court below has already framed charge against the petitioner, I do not find any force in this quashing petition and accordingly, this quashing petition stands dismissed on admission stage itself.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

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