

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32729 of 2012

Arising Out of P.S.Case No. -2205 Year- 2002 Thana -null District- KATIHAR

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Niyamat @ Niyamat Ali S/O Late Ataruddin R/V- Itwa, P.S.- Dandkhora, Distt.-
Katihar

.... Petitioner

Versus

1. The State Of Bihar
2. Zarina Khatoon D/O Abdul Hannan R/O- Hasanganj Mannanpur, P.S.-
Dandkhora, Distt.- Katihar

.... Opposite Parties

with

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Criminal Miscellaneous No. 18324 of 2015

Arising Out of P.S.Case No. -2205 Year- 2002 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Usman Gani S/o Late Khuda Baksh R/o - Itwa, P.S. Hansanganj, Distt -
Katihar

.... Petitioner

Versus

1. The State of Bihar
2. Jarina Khatoon D/o Abdul Hannan R/O - Hasanganj Mannanpur, P.S. -
Dandkhora, Distt - Katihar.

.... Opposite Parties

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Appearance :

(In Cr.Misc. No.32729 of 2012)

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Parties : Mr. A.Dayal, APP

(In Cr.Misc. No.18324 of 2015)

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Parties : Mr. Naveen Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 06-09-2017

Heard learned counsel for the petitioners and learned APP

for the State.

2. It has been submitted that the Opposite Party No.2 had
filed a complaint case in misunderstanding. She was not aware with
the facts stated in the complaint petition. The Opposite Party No.2 had



some affairs with the petitioner of Cr.Misc.No.32729 of 2012 with whom she has married and is residing since the date of marriage. A compromise petition to this effect has been filed before the court below. Petitioner of Cr.Misc.No.18324 of 2015 is alleged to be an associate of petitioner Niyamat @ Niyamat Ali (Cr.Misc.No.32729 of 2012). The learned Magistrate had taken cognizance on 25.01.2006 without examining the material on record. The Opposite Party No.2 is not taking any interest in prosecuting the petitioners and more than eleven years have passed over since the date of taking cognizance. In this case not a single witness has been examined.

3. In the facts and circumstances stated above, learned counsel for the petitioners does not want to press the petition and seeks direction from this Court for expeditious trial.

4. In view of the submissions of learned counsel for the petitioners, this criminal miscellaneous application is dismissed as not pressed. The court below is however directed to expedite the trial preferably within six months.

(Sanjay Kumar, J)

B.Kr./-

AFR/NAFR	NAFR
CAV DATE	
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