

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32199 of 2016

Arising Out of PS.Case No. -10 Year- 2015 Thana -PARWALPUR District- NALANDA
(BIHARSHARIFF)

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Sanjay Kumar, Son of late Yadu Nandan Prasad, Resident of Village-
Parwalpur, Police Station- Parwalpur, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi, Wife of Sanjay Kumar, R/o Village and Police Station
Parwalpur District Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Sri Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-04-2017 Heard learned counsels for the petitioner and the

State.

The present application has been filed for quashing of
the order dated 22.05.2015, passed by the learned SDJM, Hilsa,
Nalanda, in Parwalpur P.S. Case No.10 of 2015, whereby the
process has been directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code.

A supplementary affidavit has been filed to the effect
that the charges have been framed vide order dated 20.09.2016, as
contained in Annexure-7 to the supplementary affidavit, by
learned Judicial Magistrate, 1st Class, Hilsa, Nalanda. However,



learned counsel for the petitioner prays that an application has been filed before the learned trial Court under section 216 of the Cr.P.C. with prayer for alteration of the charge, as contained in Annexure-8. Hence, appropriate direction be made for disposal of the same.

In view of the fact that the matter has proceeded beyond the stage of cognizance and charge has been framed against the petitioner, this application has now become infructuous.

Accordingly, this application is dismissed as having become infructuous.

However, it is expected from the learned Court below to dispose of the application, under section 216 Cr. P.C. as expeditiously as possible, in accordance with law if the same has not been disposed of as yet.

(Dinesh Kumar Singh, J)

Ashwini/-

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