

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34962 of 2014

Arising Out of PS.Case No. -367 Year- 2013 Thana -BUXAR District- BUXAR

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Rajesh Kumar Jaiswal @ Rajesh Jaiswal

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Adv

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

For informant : Mr. Vindhya Keshari Kumar, Sr. Adv.

Mr. Ravi Shankar Pathak, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

6 03-11-2017 Heard learned counsel for the petitioner, State and Sr.

counsel appearing on behalf of the opposite party.

On 18.8.2017 the case was adjourned in order to facilitate the parties to contact their clients in order to settle the dispute amicably outside the court.

Today counsel appearing on behalf of the petitioner submits that he has tried his level best to contact his client but he has not received any instruction and as such he is not in a position to make any statement on behalf of his client as to the willingness of his client to join compromise. He submits that there is case and counter case with regard to the same transaction and both the cases are pending under the judgeship of Buxar.

Considering the fact that parties are not agreeable to settle their disputes and both of them are interested in pursuing



their criminal case pending before different Magistrates in the same judgeship of Buxar, it would be appropriate to direct the District and Sessions Judge, Buxar to see that both the cases namely, G.R. No. 2129 of 2013 arising out of Buxar (T) P.S. Case No. 367 of 2013 dated 12.9.2013 and Complaint Case No. 227 of 2013 involving the same transaction between the parties are heard by the same Magistrate as both the cases are triable by the Magistrate.

The District and Sessions Judge, Buxar is further directed to see that the aforesaid cases are expeditiously decided preferably within a period of six months from the date of production of a copy of this order.

This order is passed in presence and the consent of counsel for the petitioner and the opposite parties as they are agreeable for disposal of both the cases in one go by the same court.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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