

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6071 of 2016

Arising Out of PS.Case No. -550 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Arun Kumar Son of Sri Anandi Prasad Singh Resident of village - Kool, P.O. +
P.S. + District - Nalanda

.... Petitioner

Versus

1. The State of Bihar
2. Rajnandan, officer Incharge, P.S. & Distt. Nalanda
3. Raj Kishore Singh, A.S.I., P.S. & Distt. Nalanda

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate
For the Opposite Party/s : Mr. B. N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 15-01-2018

I. A. No. 1664 of 2016

By way of the present interlocutory application, a prayer has been made that apart from the relief prayed in the main application filed under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.'), the order dated 28.07.2016 passed by the learned Judicial Magistrate, 1st Class, Nalanda at Biharsharif in Complaint Case No. 550C of 2013 by which the complaint petition has been dismissed in exercise of power conferred under Section 203 of the Cr.P.C. be also set aside.

2. In the opinion of this Court, the intended addition of prayer cannot be allowed by way of filing an interlocutory



application in an application filed under Section 482 of the Cr.P.C. for a completely different relief.

3. In that view of the matter, I see no merit in this interlocutory application. Accordingly, it is dismissed with liberty to the petitioner to assail the aforesaid order dated 28.07.2016 by filing another application in accordance with law.

Cr. Misc. No. 6071 of 2016

4. This application under Section 482 of the Cr.P.C. has been filed for quashing the order dated 06.10.2015 passed by the learned Judicial Magistrate, 1st Class, Biharsharif in Complaint Case No. 550C of 2013 by which he has called for a report from the Deputy Superintendent of Police, Biharsharif.

5. In view of the fact that the complaint petition itself has been dismissed in exercise of powers conferred under Section 203 of the Cr.P.C., the instant application has become infructuous. Accordingly, it is dismissed as infructuous.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.01.2018
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