

Arising Out of PS. Case No.-6 Year-2015 Thana- BALRAMPUR District- Katihar

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- Petitioners

Versus

- Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Rahmatullah
For the Opposite Party/s : Mr.Ram Naresh Roy App

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 24-03-2021 This case has been listed on the letter of the
Additional District & Sessions Judge -V, Katihar, who has
informed this Court about the stage of the case.

This petition was filed for quashing of the order dated 05.05.2015 passed by the Judicial Magistrate -1st Class, Katihar in Balrampur P.S. Case No. 06 of 2015, whereby cognizance was taken against the petitioners under Section 302/34 of the Indian Penal Code.

It was urged on behalf of the petitioners before



this Court on 21.12.2019 that chargesheet had been submitted in this case under Section 306 of the Indian Penal Code but the learned Magistrate, differing with the police report, took cognizance under Section 302/34 of the Indian Penal Code.

This Court found that the order passed by the learned Magistrate was a reasoned order and that since the case is of the year 2015, this Court found it expedient to direct that the Trial of the case ought to be concluded within a period of one year from the date of receipt / production of a copy of that order dated 21.12.2019.

Pursuant to the aforesaid direction, the letter referred to above written by the Additional district & Sessions Judge -V, Katihar who is in seisin of this case, which had led to listing of this case.

It appears from the letter that the case is pending for the evidence of the prosecution witnesses.

This Court, therefore, directs that all efforts should be taken to conclude the trial as expeditiously as possible preferably within a period of nine months from the date of



receipt / production of a copy of this order.

Since this petition has already been disposed of,
the records are consigned.

(Ashutosh Kumar, J)

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