IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M. P. No. 250 of 2011

Arunvithi Chaturvedi, son of Sri Rajendra Chaturvedi, resident of B-42 Troika Apartment 3rd cross line Lokhandwala Complex, Andheri West, Mumbai

... ... Petitioner

Versus

1. The State of Jharkhand
2. Dipannita Chaturvedi, wife of Rajendra Chaturvedi, resident of Alokapuri Apartment Flat No. 105, P.O.+P.S.-Lalpur, District-Ranchi. **... ... Opp. Parties**

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

Through Video Conferencing

13/**11.12.2020**

1. Learned counsel for the petitioner Mr. Nilesh Kumar is present.

2. Learned counsel for the opposite party-State Mr. Shekhar Kumar Sinha is also present.

3. This petition has been filed for the following reliefs: -

> *"That the present quashing application is being preferred before this Hon'ble Court to quash the entire criminal proceedings, pending as against this petitioner in connection with Lalpur P.S. Case No. 244 of 2010 corresponding to G.R. Case No. 4960 of 2010, lodged for the offences under Sections 498'A'/323/379/34 of the Indian Penal Code, which is now pending in the Court of learned Chief Judicial Magistrate, Ranchi."*

4. A report has been received from the learned court below vide letter No. 164 dated 02.11.2020 mentioning therein that charge has been framed by the learned court below on 12.07.2019 and the case is pending at the stage of evidence.

5. Upon this, the learned counsel for the petitioner seeks permission to withdraw this petition with a liberty to raise all the points which have been raised in the present petition as well as any other point that may be available to the petitioner before the learned court below at appropriate stage. He submits that withdrawal of this petition may not prejudice the case of

the petitioner in any manner whatsoever before the learned court below.

6. Learned counsel appearing on behalf of opposite party has no serious objection to the prayer made for withdrawal of this petition.

7. Accordingly, the present petition is hereby dismissed as withdrawn with a liberty to the petitioner to raise all the points which have been raised in this petition as well as any other point that may be available to the petitioner before the learned court below at appropriate stage in accordance with law.

8. It is made clear that dismissal of this petition will not prejudice the case of either parties before the learned court below in any manner whatsoever.

9. Interim order, if any, stands vacated.

10. Pending interlocutory application, if any, is also dismissed as not pressed.

11. Let a copy of this order be communicated to the learned court below through 'e-mail/FAX'.

(Anubha Rawat Choudhary, J.)

Mukul