

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39868 of 2018

Arising Out of PS. Case No.-392 Year-2013 Thana- PHULWARISHARIF District- Patna

Poonam Sinha @ Punam Sinha, Wife of Anil Kumar Sinha Resident of Mohalla - Sabalpura, Near Sangam Transport, P.O. - Khagaul, P.S. - Phulwarsharif, District - Patna, Presently residing at Khajpura, P.O. - B.V. College, P.S. - Airport, District - Patna.

... .. Petitioner/s

Versus

1. State of Bihar
2. Shiv Bhawan Singh, Son of not Known Presently posted as Junior Electrical Engineer, Electricity Supply Sub Division, South Bihar Power Distribution Company Khagaul, Phulwarisharif, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Jagjit Roshan
For the Opposite Party/s :	Mr.Sri Rajesh Kumar
For the South Bihar PDC:	Mr. Vijay Kumar Verma

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 18-01-2021 Heard the learned counsel for the parties.

The petitioner seeks quashing of the entire proceeding in connection with Phulwari Sharif P. S. Case No. 392 of 2013 / Special Case No. 654 of 2013, which has been instituted for the offence under Section 135 of the Electricity Act.

Though the petitioner has sought quashing of the entire criminal proceeding but the fact remains that investigation of the case is still pending and therefore



the only prayer of the petitioner is of quashing of the
F.I.R.

The ground urged on his behalf is that now with
the passage of so many years, no cognizance could be
taken against the petitioner under Section 468 of the
Code of Criminal Procedure.

If that be so, the aforesaid submission could be
raised before the Court when the charge-sheet will be
submitted.

In case, in the event of submission of charge-
sheet, such an application on behalf of the petitioner
shall be filed, the court below shall examine the matter
and shall pass order in accordance with law.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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