

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.297 of 2020

Arising Out of PS. Case No.-290 Year-2019 Thana- SACHIVALAYA District- Patna

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1. ACHAL RAJ Son of Narendra Kumar Resident of Kiran Kunj, Near Pillar No. 83, P.S.- Airport, Shaikhpura, Rajabazar, District - Patna
 2. Diptanshu Kumar @ Diptanshu Son of Pradeep Kumar Gupta Resident of Village - Saligram, P.S.- Sahebpur Kamal, District - Begusarai

... .. Petitioners

Versus

1. The State Of Bihar Through Home Secretary, Patna Bihar
2. The Director General of Police, Bihar, Patna
3. The Deputy Director General of Police, Govt. of Bihar, Patna
4. The Inspector General of Police, Central Region, Patna
5. Deputy Inspector General of Police, Patna Division, Patna
6. The Senior Superintendent of Police, Patna
7. The Nagar Superintendent of Police, Magadh, Patna
8. The Station House Officer, Sachivalaya Police Station, District - Patna Bihar
9. Investigation Officer of Sachivalaya P.S. case No. 290/2019, Sachivalaya Police Station, District - Patna, Bihar
10. Shruti, Daughter of Jawahar Jha, Posted at Juniour Electrical Engineer, Electric Supply Division, Nutan Rajdhani, PESU, Patna, Bihar

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Pramod Rajpati, Advocate
For the Respondent/s : Mr.Iqbal Asif Niazi, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioners and Mr. Iqbal Asif Niazi, learned AC to GP-5 for the State.

Petitioners, in the present case, are seeking a direction to the investigating agency to submit a final form recording the compromise between the parties. It appears from the records that the respondent no. 10 has filed a First Information Report being Sachivalaya P.S. Case No. 290/2019 for the offences



alleged under Sections 447, 354, 354A, 354B, 504, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that in the nature of the grievance of the respondent no. 10, with the intervention of the well-wishers petitioners and respondent no. 10 have resolved their dispute and they have filed a compromise petition jointly on 28.11.2019 in the court of learned Additional Chief Judicial Magistrate, Patna.

It is further stated that the petitioners' parents met the Investigating Officer of the case and filed that compromise petition but thereafter the I.O. has not taken any step. In this regard, representations have also been made to different higher authorities, which would be evident from the statements made in paragraph '11' and Annexure '3' to the writ application.

It is submitted that the investigation of the case is still pending, therefore, the I.O. as well as the supervising authority may be directed to take note of the compromise entered into between the parties and record the same in the case diary.

Mr. Iqbal Asif Niazi, learned counsel for the State submits that if the parties have entered into a compromise and the investigation is still pending, appropriate directions may be issued to the investigating agency to take note of the same and



submit a police report on the basis of the materials collected in course of investigation.

Having regard to the facts and circumstances of the case, the statement of the petitioners and the materials attached to that, this Court is of the considered opinion that the Senior Superintendent of Police, Patna shall consider the same, take an appropriate view thereon and direct the supervising authority as well as the I.O. of the case to submit a police report in the learned court below expeditiously and in any case not later than 90 days from the date of receipt/communication of a copy of this order.

The I.O./supervising authority shall take their view based on the entire materials including the fact that the parties are said to have settled their dispute and a compromise petition has been filed. In this connection verifications may also be made from respondent no. 10.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

