

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25859 of 2019

Arising Out of PS. Case No.-251 Year-2015 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Sarswati Devi Wife of late Gaya Prasad, Resident of Suhagan Saree Showroom, G.B. Road, Near Kotwali Thana, Police Station- Kotwali, District- Gaya.
 2. Shambhu Nath, Son of Late Gaya Prasad, Resident of Suhagan Saree Showroom, G.B. Road, Near Kotwali Thana, Police Station- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Vishwanath Kumar, Son of Late Gaya Prasad, Resident of Kashmir Vastralaya G.B. Road, Police Station- Kotwali, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Dharendra Pratap Singh, Adv.
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for Opposite Party No.2.

Learned counsel for the petitioners submit that
presently, he is pursuing this case only for petitioner No.2 as
petitioner No.1 has already died and in this regard, he has filed
an application which has kept pending before this Court.
Learned counsel for O.P. No.2 appeared and filed a counter-
affidavit after serving copy to the counsel for the petitioner and
the State. It has been jointly prayed that the present complaint

case is basically filed by one brother against another. With the intervention of the common family members and relatives, the good sense revealed between the parties and in result, they want to close this case.

Both the parties jointly prayed that all the Sections are compoundable in nature as mentioned in Section 320 of Cr.P.C., therefore, counsel for petitioner seeks permission to file a compounding petition before the Trial Court. With this submission, counsel seeks permission to withdraw this application.

Permission granted.

The parties shall file their compounding petition before the Trial Court within 1 month from the date of communication of the order passed in this case. The Trial Court has directed to take appropriate steps in accordance with law so that the compounding petition filed by the parties shall end the entire proceeding within one month time from the date of filing of the compounding petition. It goes without saying that stay granted earlier be automatically vacated.

With this observation, this application stands disposed off.

(Dr. Anshuman, J.)

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