

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2972 of 2023**

Arising Out of PS. Case No.-149 Year-2016 Thana- JAHANABAD District- Jehanabad

MATLOOB KHAN @ MD. MATLOOB KHAN SON OF MD. MOKHTAR
KHAN R/O DHANGAWAN, P.S.- JEHANABAD, DISTRICT-
JEHANABAD PIN CODE- 804417

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim

For the Opposite Party/s : Mr.Ganesh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-09-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The learned counsel for the petitioner submits that
the present quashing application has been filed seeking quashing
of the order dated 12.06.2017, passed by the learned Judicial
Magistrate 1st Class, Jehanabad in G.R. No. 412 of 2016 arising
out of Jehanabad P.S. Case No. 149 of 2016 whereby
cognizance has been taken under Sections 323, 341, 504 and 34
of the Indian Penal Code

3. The learned A.P.P. at the outset vehemently
opposes the quashing application of the petitioner on the ground
that the order of cognizance is dated 12.06.2017, and the
quashing application has been filed in the year 2023.



4. At this stage, the learned counsel for the petitioner very fairly submits that the charges have also been framed against the petitioner.

5. The learned A.P.P. thus submits that it absolutely does not stand to reason that when charges have already been framed why the present quashing application was filed seeking quashing of the order of cognizance in 2023.

6. Considering the fact that the charges have been framed, the Court is not inclined to entertain the quashing application.

7. Accordingly, the quashing application stands dismissed.

(Satyavrat Verma, J)

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