

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29550 of 2015

Arising Out of PS. Case No.-1681 Year-2006 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Hira Lal Sah Son of Late Matru Sah resident of village Dhamdaha North P.S.
Dhamdaha , District - Purnia.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Priyanka Chaudhary daughter o f Dhruv Shankar Choudhary resident of Shamanipur Bazar , P.S. Bhawanipur, District Purnea, at present residing in the house of Sri Gopal Sah , P.S. Dhamdaha, District- Purnia.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-02-2023 No one appears on behalf of the petitioner on call.

The present petition has been preferred for quashing of the order dated 20.5.2015 passed by 2nd Additional Sessions Judge, Purnea, in S.T. No. 160 of 2010 under section 228 of the Cr.P.C.

It seems that the petitioner has earlier moved in Cr. Misc. No. 45134 of 2010 which was dismissed by a bench of this Court (Hon'ble Mrs. Justice Anjana Prakash, as her Lordship then was) on 10.4.2015 with the following order:

"Heard learned counsel for the petitioner and the State.

The petitioner seeks quashing of the order dated



19.11.2010 passed by the Additional Sessions Judge, Fast Track Court No.1, Purnia, by which he has refused to discharge the petitioner in Sessions Trial No. 160 of 2010 arising out of Dhamdaha P.S. Case No. 106 of 2006.

The background facts of the case is tht the Informant alleged that his daughter had been raped by the petitioner.

The submission of the Petitioner is that subsequently, the girl remarried and is living happily with her parent husband and a compromise petition has been filed in the present case.

Since 376 Indian Penal Code is not compoundable, I am not inclined to interfere in the matter.

The application stands dismissed.

The Trial Court I directed to conclude the Trial expeditiously without granting unnecessary adjournment to any Party in terms of the direction of the Apex Court.

In view of the specific direction of this Court in 2015 that the Trial Court should conclude the trial without granting unnecessary adjournment, it is expected that the Trial Court will



be concluding the trial immediately, if the same has not been concluded yet.

In view of the reasoned order dated 10.4.2015, the present petition is misconceived and is dismissed.

(Rajiv Roy, J)

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