

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55946 of 2015

Arising Out of PS. Case No.- Year-1111 Thana- District- Patna

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Diptiman Roy Bardhan S/o late D.C Bardhan , Ex Zonal Manager, UCo Bank,
Mauryalok Complex 4th floor P.s Kotwali, District Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Labour Enforcement Officer Centraln Patna-II, Mauryalok complex, 2nd
floor Patna-1

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Pandey, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :		Mr. Indra Kumar Singh, APP
For Union of India	:	Mr. K.N. Singh, ASG

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State and learned counsel for the Union of India.

This application has been filed for quashing of the
order dated 14.08.2015 passed by learned Sessions Judge, Patna
in Criminal Revision No. 454 of 2015.

It has been submitted by learned counsel for the
petitioner that the award has been implemented by the U.C.O
Bank in favour of workman (Ajay Prasad) and the back wages
have also been given which is apparent from the
acknowledgment dated 30.04.2010.

It has been further submitted by learned counsel for
the petitioner that the petitioner was the Zonal Manager of the
U.C.O Bank at the relevant time and is now aged about 76 years



and he had no personal interest in the matter. He has been made accused only because he was the Zonal Manager of the U.C.O Bank at the relevant time. He has further submitted that there is no appearance in the court below on behalf of complainant for last many years and the petitioner is suffering in this case since 2000. He has further submitted that after retirement, the petitioner is settled in Uttarakhand and he has already suffered due to the on-going proceeding of the case. Learned counsel for the petitioner has further submitted that order taking cognizance is also barred by limitation and the quashing application against the order of taking cognizance was dismissed for default.

Learned A.S.G for the Union of India has opposed the application and has submitted that in view of the on-going proceeding before court below, the impugned order cannot be set aside.

I have consider the submissions of both the parties.

A complaint case was filed in the year 2000 and we are now in the year 2023. The workman has got all his dues and no useful purpose will be served by prosecuting the petitioner who is a retired Zonal Manager of the U.C.O Bank at the relevant time who is now aged about 76 years.

Considering the facts and circumstances of this case,



this application is allowed.

Therefore, the order dated 14.08.2015 passed by
learned Sessions Judge, Patna in Criminal Revision No. 454 of
2015 is hereby quashed.

(Sandeep Kumar, J)

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