

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3989 of 2018

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

Uma Shankar Singh Son of Brahma Singh resident of Paltu Hata, P.S. - Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The S.H.O. Jamo Bazar, Siwan.
3. Sanjay Singh Son of Rama Shankar Singh resident of Paltu Hata, P.S. - Jamo Bazar, District - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Learned counsel for the petitioner at the outset submits that petitioner would be satisfied in the event if the present quashing application is disposed of with a direction to the S.D.M., Siwan to expeditiously conclude the Case No.3851/2015, which was filed by the O.P. No.3 herein against the petitioner with respect to dispute relating to land within a time frame.

3. The learned counsel next submits that based on an application filed by the O.P. No.3 herein, Case No. 3851/2015 was instituted under section 144 of the Cr.P.C. and the said



proceeding was converted under section 145 of the Cr.P.C. and thereafter based on a police report, the receiver was appointed under Section 146(1) of the Cr.P.C. with respect to the property in question. The learned counsel thus submits that the dispute was purely civil but the O.P. No.3 herein despite being aware that the land in question which has been seized under Section 146(1) of the Cr.P.C. and a receiver has been appointed is an ancestral property of the parties but the O.P. No.3 does not want the petitioner to enjoy the fruit of his property and thus instituted a false case giving rise to the present proceedings.

4. The learned APP Mr. Ganesh Prasad Singh submits that the submission made by the petitioner can be acted upon.

5. Considering the submissions made by the learned counsel for the petitioner, the S.D.M., Siwan is directed to ensure that Case No. 3851/2015 is decided expeditiously preferably within a period of nine months from the date of receipt/production of a copy of this order.

6. The quashing application is disposed off.

(Satyavrat Verma, J)

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