

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55515 of 2017

Arising Out of PS. Case No.-98 Year-2004 Thana- LAURIA District- West Champaran

1. Harinarayan Rao Son of Late Dhanushdhari Rao,
2. Vijay Kumar Rao @ Vijay Rao, Son of Harinarayan Rao,
3. Rajan Rao, Son of Harinarayan Rao, All are residents of Village- Suar Chhap, Police Station- Lauriya, District- West Champaran Bettiah.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Sri Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

This application has been filed for quashing of order dated 24.05.2017 passed by learned Additional District and Sessions Judge-V, West Champaran at Bettiah in connection with Sessions Trial No. 576 of 2004 arising out of Lauriya P.S. Case No. 98 of 2004 against the petitioners for the offences under Sections 323, 324, 341, 307, 34, 302 of the Indian Penal Code.

Learned counsel for the petitioners has challenged the impugned order dated 24.05.2017 passed by learned Additional District and Sessions Judge-V, West Champaran at Bettiah.



During course of the argument, learned counsel for the petitioners has submitted that the matter has been settled between the parties and he wants examination of the witnesses so that he may be acquitted on the basis of compromise.

This is a new proposition which is being canvased by the learned counsel for the party that a case registered under Section 302 for the offence of murder can be compromised and the Court should be a party to it.

This application under Section 311 of the Cr. P.C for recall of the witnesses has rightly been dismissed with cost.

The Trial Court is directed to proceed the trial on day to day basis and conclude the trial which is of the year 2004. The trial must be concluded within two months from the date of communication of the order and a report must be sent to this Court after conclusion the trial.

(Sandeep Kumar, J)

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