

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.757 of 2018

Arising Out of PS. Case No.-119 Year-2014 Thana- RUPASPUR District- Patna

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1. Sonu
 2. Monu
 3. Narayan
- All sons of Dharnidhar Mishra All residents of Mohalla - Advocate Colony,
Gola Road, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Tiwari
For the Respondent/s : Smt. Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 14-12-2023 Heard the learned counsel for the petitioners and
the learned Additional Public Prosecutor for State.

2. The instant revision is directed against the order dated 2nd of April, 2018, passed by the Additional Sessions Judge-I, Danapur upon a petition under Section 227 of the Cr.P.C. filed by the accused persons / petitioners.

3. It is contented by the learned Advocate for the petitioners that initially police submitted charge-sheet under Section 341, 323, 307, 504 and 506 of the Indian Penal Code against the accused persons. Subsequently, at the time of consideration of charge, the learned Additional Sessions



Judge-I, Danapur, on perusal of the materials on record as well as case-diary, found no ingredients of offence under Section 307 of the Indian Penal Code and on the basis of the application filed by the petitioners under Section 227 of the Cr.P.C., the charge under Section 307 of the IPC was dropped. However, the learned Judge was of the opinion that there are materials for framing charge against the petitioners under Section 341, 323 and 504 of the Indian Penal Code. The case was then remitted back to the Court of the learned A.C.J.M.-I, Danapur for trial and disposal according to law.

4. It is contended by the learned Advocate for the petitioner, producing the certified copy of an application filed on 1st of April, 2021 that the dispute between the parties has been compromised and the offence for which petitioners were charged, be compoundable in nature, may be compounded and the accused persons / petitioners may be acquitted.

5. This Court does not enjoy with the power of compounding an offence which is pending in the Trial Court. It is the duty of the Trial Court to compound an



offence on the basis of compromise arrived at by and between the parties.

6. For the reasons stated above, while dismissing the instant criminal revision, this Court directs the learned A.C.J.M. - I, Danapur to dispose of the petition filed by the informant in G.R. Case No. 1731 of 2014, dated 1st of April, 2021, within a period of two months from the date of communication of this order.

7. The learned Advocate for the petitioners is at liberty to communicate certified copy of this order on the basis of which the learned A.C.J.M. - I, Danapur shall act for strict compliance of the order within two months.

With the aforesaid observations / directions, this revision stands dismissed.

(Bibek Chaudhuri, J)

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