

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26773 of 2018

Arising Out of PS. Case No.-704 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Nirbhay Shankar S/o Late Kameshar Lal Das, R/o Vill.- Laufa, P.S.-
Lakhnaur, District- Madhubani, At present R/o Mohalla- Maharani Colony,
Road No.-1, Agam Kuan, P.S.- Bye-Pass, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Jai Shankar S/o Late Kameshwar Lal Das, R/o Vill.- Laufa, P.S.- Lakhnaur,
District- Madhubani, At present Maharani Colony, Near Shitla Mandir,
Agam Kuan, Gulzarbagh, Patna-7.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-01-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner submits that the
petitioner and the O.P. No.2 are own brother and cognizance in
the case has been taken under Section 323 of the Indian Penal
Code and on intervention of well wishers, the parties have
compromised. Learned counsel next submits that day before
yesterday he received telephonic information from the petitioner
that a compromise petition has also been filed before the learned
trial court. It is thus submitted that when brothers on
intervention of well wishers have compromised, in that event no



useful purpose would be served by allowing the criminal proceeding to continue, on which the learned APP submits that though it has been submitted that a compromise petition has been filed but then the said compromise petition is not on record.

3. In view of the submissions made by the learned APP, the quashing application is disposed of with a direction to the learned trial court that in the event if a compromise petition is on record in that event the learned trial court after noticing the O.P. No.2 herein shall pass order, in accordance with law, as offence under Section 323 of the Indian Penal Code is compoundable.

4. The quashing application is disposed of.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

