

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31981 of 2023**

Arising Out of PS. Case No.-1531 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. SHARMISTHA MUKHERJEE @ SAMISTHA MUKHERJEE D/O SHANTI NATH MUKHERJEE R/O BARAUNI REFINERY DAV HOSTEL, ROOM NO.- 9, P.S.- MUFASSIL, DISTRICT- BEGUSARAI
 2. RADHA SWAMI SON OF SUDAMA GOSWAMI R/O QR. NO. E1/33, P.S.- BEGUSARAI SADAR, DISTRICT- BEGUSARAI
 3. BRAJENDRA KUMAR @ VIJENDRA KR. SINGH SON OF RAM NARESH PRASAD SINGH R/O QR. NO.- 48, P.S.- BEGUSARAI SADAR, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SONI SINGH WIFE OF RABISH KUMAR SINGH R/O NEW COLONY ULAO, P.S.- MUFASSIL, DISTRICT- BEGUSARAI

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar Singh, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Opposite Party/s	:	Mr. Hansraj, Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 18-03-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the complainant/Opposite Party No. 2.

2. This application has been filed under Section 482 of the Code of Criminal Procedure, 1973, on behalf of the petitioners for quashing the order dated 21.01.2023 passed by the learned Judicial Magistrate, 1st Class, Begusarai, in Complaint Case No. 1531 of 2022 whereby the learned Magistrate took cognizance for the offences punishable under



Sections 341, 325, 506 and 34 of the Indian Penal Code against four accused persons, including these petitioners.

3. It is submitted by learned counsel appearing on behalf of the petitioners that during pendency of this case, the impugned order of cognizance has already been set aside by the learned Additional Sessions Judge-III, Begusarai, vide order dated 06.07.2023 passed in Criminal Revision No. 66 of 2023 and the matter has been remanded back to the learned court below. It is next submitted that in the aforesaid facts and circumstances of the case, this quashing application has become infructuous and he seeks permission to withdraw this writ application at present.

4. Permission is accorded.

5. This quashing application is disposed of as withdrawn with liberty to the petitioners to file fresh application, if so required.

(Prabhat Kumar Singh, J)

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