

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46956 of 2023**

Arising Out of PS. Case No.-449 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Umapati Poddar S/O Baidyanath Poddar R/O Village- Kavaiya Road, Ward
No. 32, PS. & District- Lakhisarai, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Yadav S/O Late Shivdani Yadav R/O Village- Godiah, Ps. Quil, Dist.
Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-01-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner at the outset
very fairly submits that he has already preferred Cr. Revision
No.50 of 2022 in the court of learned Sessions Judge, Lakhisarai
against the order dated 21.10.2022 passed by the learned CJM,
Lakhisarai in Lakhisarai (Kavaiya) P.S. Case No.449 of 2022
whereby cognizance of offence under Section 302 and 34 of the
Indian Penal Code has been taken after differing with the police
report.



3. The learned counsel for the petitioner next submits that the order which is under challenge in the aforesaid criminal revision before the learned District Judge, is impugned in the present quashing application also. The learned counsel next submits that the criminal revision which was filed in the court of learned Sessions Judge, Lakhisarai is pending adjudication which necessitated filing of the present quashing application.

4. It is next submitted that petitioner would be satisfied in the event, if the present quashing application is disposed of with a direction to the learned Sessions Judge, Lakhisarai to dispose of the Cr. Revision No.50 of 2022 expeditiously and within a time frame.

5. The learned APP does not object to the submission made by the learned counsel for the petitioner.

6. Considering the submission made by the learned counsel for the petitioner, the Court without going into the merits of the case and without interfering with the order dated 21.10.2022 passed by the learned CJM, Lakhisarai, as it is also impugned in the aforesaid criminal revision, dispose of the present quashing application with a direction to the learned Sessions Judge, Lakhisarai to dispose of the Cr. Revision No.50 of 2022 expeditiously and preferably within a period of three



months from the date of receipt/production of a copy of this order if possible without giving unnecessary adjournments to either side.

7. The quashing application is disposed of.

(Satyavrat Verma, J)

Prakash Narayan

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