

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52361 of 2024

Arising Out of PS. Case No.-205 Year-2003 Thana- PAROO District- Muzaffarpur

Parmeshwar Singh Son of Late Shiv Singh Resident of Village -
Ramchandrapur, P.S.- Deoria Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shatrughn Singh Son of Ram Badam Singh Resident of Ram Chandrapur,
P.S.- Deoria Paroo, District - Muzaffarpur.
3. Anil Kumar Singh Son of Shatrughn Singh Resident of Ram Chandrapur,
P.S.- Deoria Paroo, District - Muzaffarpur.
4. Kamal Devi Wife of Shatrughn Singh Resident of Ram Chandrapur, P.S.-
Deoria Paroo, District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 20-08-2024 Heard the parties.

2. This application has been filed on behalf of the petitioner for quashing the order dated 28.05.2024 passed in S.Tr. Case No. 639 of 2017 arising out of Paroo P.S. Case No. 205 of 2003 by the learned Additional District and Sessions Judge-XIth, Muzaffarpur by which the petition dated 02.03.2024 of the petitioner/informant under Section 311 of Cr.P.C. to examine the remaining witnesses has been rejected.

3. The petitioner is the informant in the case. The submission of the learned counsel for the petitioner that only two witnesses have been examined and therefore in the interest



of justice, other witnesses may be allowed to be examined.

4. From the impugned order, it appears that earlier also, the petitioner has filed an application under Section 311 of the Cr.P.C. which was allowed and after examination of the prosecution witness named in the petition, the case was again fixed for recording statement under Section 313 Cr.P.C.

5. In the opinion of the Court, when the earlier application of the petitioner filed under Section 311 of the Cr.P.C. was allowed by the Court below, nothing prevented the petitioner from examining the other witnesses also and it appears that the petitioner is trying to delay the trial of the case which was registered in the year 2003.

6. The Court below has also considered all the points and has rejected the application of the petitioner filed for examining the witnesses again and therefore this Court finds no illegality in the impugned order.

7. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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