

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68038 of 2022

Arising Out of PS. Case No.-1 Year-2016 Thana- PALANWA District- East Champaran

1. ONKAR NATH JAISWAL @ OMKAR NATH @ MUNNA JAISWAL Son of Late Kalika Nand Prasad Resident of Village- Bhelahi, P.S.- Palanwa (Bhelahi), District- East Champaran
2. UMESHWAR JAISWAL Son of Late Kalika Nand Prasad Resident of Village- Bhelahi, P.S.- Palanwa (Bhelahi), District- East Champaran
3. VIVEK JAISWAL Son of Onkarnath Jaiswal Resident of Village- Bhelahi, P.S.- Palanwa (Bhelahi), District- East Champaran
4. MOHIT JAISWAL Son of Onkar Nath Jaiswal Resident of Village- Bhelahi, P.S.- Palanwa (Bhelahi), District- East Champaran
5. RAHUL JAISWAL Son of Umeshwar Prasad Jaiswal Resident of Village- Bhelahi, P.S.- Palanwa (Bhelahi), District- East Champaran
6. RAVI KUMAR Son of Onkar Nath Jaiswal @ Munna Jaiswal @ Omkar Nath Jaiswal Resident of Village- Bhelahi, P.S.- Palanwa (Bhelahi), District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. JAWAHAR LAL PRASAD Son of Late Shankar Sah Resident of Village- Musharwa, P.S.- Palanwa (Bhelahi), District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No. III, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.
For the O.P. No. 2	:	Mr. Dhananjay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

Date : 10-01-2024

Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

2. Learned counsel for the opposite party no. 2, at the outset, submits that he has instruction to make submission that the opposite party no. 2 does not have any objection in the event if the quashing application is allowed and the order impugned is quashed.



3. Learned counsel very fairly submits that no doubt cognizance has been taken under Section 307 of the Indian Penal Code also but then the injuries are simple in nature. It is further submitted that the petitioners and the informant are known to each other and on intervention of the well wishers, they have compromised the case. It is next submitted that no useful purpose would be served by allowing the petitioners to face criminal prosecution.

4. Learned counsel for the petitioners also concurs with the submission of the learned counsel for the opposite party no. 2.

5. Learned A.P.P. also does not object to the submissions made by the learned counsel for the opposite party no. 2.

6. In view of the submissions made by the learned counsel for the opposite party no. 2, the order dated 18.05.2017, passed by the learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, in Palanwa P.S. Case No. 01 of 2016, whereby cognizance of the offences under Sections 147, 148, 341, 323, 324, 504 and 307 of the Indian Penal Code has been taken, is hereby quashed.

7. Accordingly, the present application stands allowed.

(Satyavrat Verma, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	10.01.2024
Transmission Date	10.01.2024

