

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.730 of 2024

Arising Out of PS. Case No.-2055 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Dilip Kumar S/O Late Prem Bihari Prasad R/O Village- Villa, East Tilak
Nagar, Bahadurpur, P.S- Patrakarnagar, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Brajesh Kumar Pandey S/O Sri Dadan Pandey R/O Village- Ganga Vihar
Colony, P.S- Beur, Distt.- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar, Advocate
For the State	:	Mr.Suman Kumari Singh, APP
For O.P.No. 2	:	Mr. Manoj Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-02-2026 The instant revision petition has been filed against the order dated 24.06.2024 passed by the learned Additional Chief Judicial Magistrate-IV, Patna in Complaint Case No. 2055(C)/2020 whereby and whereunder the learned Magistrate directed the accused for making payment of 20% of dishonoured cheque to the complainant as interim compensation within a period stipulated under Section 143A of Negotiable Instruments Act.

2. Office has pointed out that the present petition ought to have been filed in criminal miscellaneous jurisdiction. Moreover the nature of the impugned order is interlocutory and such order cannot be assailed in the revisional jurisdiction.

3. At this stage, the learned counsel for the petitioner



seeks permission to convert the present petition into a criminal miscellaneous petition under appropriate heading.

4. Permission is accorded.

5. Learned counsel for the petitioner is directed to convert the present petition into a criminal miscellaneous petition under appropriate heading within two weeks.

6. Office is directed to extend all cooperation towards conversion.

7. At this stage, learned counsel appearing on behalf of opposite party no. 2 submits that the petitioner has been taking advantage of the fact that the present petition has been filed before this Court and has failed to comply the order dated 24.06.2024 till date and if the permission is granted to convert the same, he will keep the matter pending for a quite long time again before this Court.

8. However, it is made clear that if the petitioner fails to convert the petition within the stipulated period, learned counsel for the opposite party no. 2 is at liberty to move before this Court seeking appropriate direction.

(Arun Kumar Jha, J)

V.K.Pandey/-

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