

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No. 959 of 2020

Rakesh Ranjan Shrivastava..... **Petitioner(s)**

Versus

State of Jharkhand & Anr..... **Opp. Party(s)**

.....

Coram: The Hon'ble Mr. Justice Ananda Sen
Through:-Video Conferencing

For the petitioner : Mr. Mukesh Kumar, Advocate.

For the State : Mrs. Priya Shreshtha, A.P.P.

.....

3/08.07.2020 The lawyers have no objection with regard to the proceeding, which has been held through video conferencing today at 10.30 A.M. They have no complaint in respect to the audio and video clarity and quality.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner had earlier moved this Court for the same self prayer by filing Cr. M.P. No. 4113 of 2019. The said application was withdrawn on 20.01.2020. Now, on the same prayer, the petitioner has moved this court by filing this criminal miscellaneous petition.

It is the prayer of the petitioner that this Court should pass a fresh order after reviewing the order of withdrawal. The ground taken by the petitioner is that the Hon'ble Supreme Court in the case of "**Prathvi Raj Chauhan- versus- Union of India and Others, passed in Writ Petition (Civil) No. 1015 of 2018**", has held that in exceptional cases Section 482 Cr.P.C. can be invoked for quashing a proceeding.

It is admitted by the petitioner that earlier Cr. M.P. No. 4113 of 2019 was disposed of as withdrawn prior to the judgment of the Hon'ble Supreme Court.

Thus, from the aforesaid prayer in fact, the petitioner wants to review the earlier order.

Be it noted that earlier application was withdrawn by the petitioner. Now, the petitioner has again filed this application praying for same self relief. In the opinion of this Court, this application is not maintainable in view of the earlier withdrawal. Thus, this application is dismissed, without entering into the merits of the case, as not maintainable.

(Ananda Sen, J)