

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Revision No. 161 of 2012

Ram Kumar Mehta **Petitioner**
Versus
The State of Jharkhand **Opposite Party**
With
Cr.M.P. No.1374 of 2009

Ram Kumar Mehta, S/o Dhupan Mehta
... .. **Petitioner**
Versus
1. The State of Jharkhand
2. Baleshwar Prasad Yadav, S/o Ram Charitar Yadav
... .. **Opposite Parties**

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. A.K. Kashyap, Senior Advocate
Ms. Supriya Dayal, Advocate
For the O.P. - State : Mr. Bishambhar Shastri, Advocate
(In Cr. Rev. No.161 of 2012)
Mr. Nawin Kumar Singh, Advocate
(In Cr.M.P. No.1374 of 2009)

Through Video Conferencing

12/13.04.2021

Cr.M.P. No.1374 of 2009

Learned Senior counsel for the petitioner Mr. A.K. Kashyap, is present along with Ms. Supriya Dayal Kashyap, Advocate.

2. Learned counsel for the State Mr. Nawin Kumar Singh, is also present.

3. Learned counsel for the State at the outset submits that in Cr.M.P. No.1374 of 2009, order taking cognizance dated 13.08.09 in G.R. Case No.156/07, Dhurki P.S. Case No.12/07 under Section 364 of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Garhwa, has been challenged, but thereafter much water has flown and subsequently the discharge petition has been rejected which is under challenge in Criminal Revision No.161 of 2012. He submits that on

account of subsequent development, Cr.M.P No.1374 of 2009 has become infructuous.

4. Learned Senior counsel appearing on behalf of the petitioner does not dispute the aforesaid fact which has been narrated by the learned counsel for the State.

5. Considering the aforesaid facts and circumstances, this Court finds that after order taking cognizance which is under challenge in Cr.M.P No.1374 of 2009, the learned court below has proceeded further and the discharge petition of the petitioner was rejected which is under challenge in Criminal Revision No.161 of 2012. Accordingly, this Court is of the considered view that Cr.M.P No.1374 of 2009 has become infructuous.

6. Consequently, Cr.M.P No.1374 of 2009 is hereby dismissed and interim order is vacated.

7. Let a copy of this order be communicated to the learned court below through FAX/E-mail.

Cr. Revision No.161 of 2012

1. With the consent of the learned counsel for the parties, the matter is directed to be posted on 26.04.2021 under the heading for 'Final Disposal'.

(Anubha Rawat Choudhary, J.)