

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-III, JAMUI
SESSION TRIAL No. 210/2022**

(Arising out of Chandradeep P. S. Case no. 44/2021)

15-09-22 – Today this case is fixed for hearing on the point of charge. From perusal of record it transpires that this case committed to the court of session on date 13-05-21. On date 21-05-22 this case received in this court for trial and disposal. From perusal of order-sheet it appears that on date 29-08-22 an order in criminal revision no. 62/2022, dated 22-08-22 , attached with record.

From perusal of this order it transpires that this criminal revision has been preferred to challenge the correctness, legality and propriety of the order dated 29-04-22 passed by the court of learned ACJM-Ist, Jamui, in Chandradeep P. S. Case no. 44/2021, by which the Ld. Court below taken cognizance against Rajendra Singh @ Rajo Singh and Lalti Devi as previous order of cognizance against Sujeet Kumar and dropped proceeding against Rinku Devi, Ritesh Singh, Pradeep Singh and Rakhi Devi.

After hearing both sides and after going through the material available of record, this court (Additional District and Sessions Judge-III, Jamui), in criminal revision no. 62/2022, order dated 22-08-22, considering impugned order as not proper and not correct , *SET-ASIDE* the cognizance order and *ALLOWED* the criminal revision and directed to Learned court below to pass a fresh order on the point of cognizance, without being prejudiced from the order in criminal revision.

It is surprising that neither petitioner nor opposite party mentioned in their petitions about commitment of the case. They also not mentioned a single statement about commitment of the case during hearing. Since now said cognizance order is set aside and learned court below directed to pass a fresh order on the point of cognizance, now it will not be proper to proceed with impugned order. Now only the option is to transfer back this record to learned court below to to pass a fresh order on the point of cognizance and then to proceed accordingly.

Hence O/C is directed to transfer back this record to concerned court to proceed with order dated 22-08-22 in Criminal Revision No.62/2022 and for information send a letter to the District and Sessions Judge for needful.

Additional Sessions Judge-III, Jamui