

COURT OF SESSIONS JUDGE, NALANDA, BIHARSHARIF.

CRIMINAL REVISION No. 198 of 2022

Present : **Hasmuddin Ansari,**
 Sessions Judge, Nalanda.
 Biharsharif.

Biharsharif, dated the 26th day of September, 2023.

1. Navin Kumar,
 2. Pawan Kumar, sons of Ramsagar Singh,
 3. Shiv Kumar Singh, S/o Late Brij Nandan Singh,
- All R/o village- Nari, P.S. - Noorsarai, District- Nalanda.

.....**Petitioners/ Revisionists.**

Versus

The State of Bihar

..... **Opposite Party.**

Counsels :

On behalf of Revisionists : Mr. Sanjiv Kumar Sharma, Advocate.

On behalf of O.P. (State) : Additional Public prosecutor.

O R D E R

The present revision petition has been filed on behalf of the revisionists against the order dated 23.08.2022 passed by the learned S.D.M., Biharsharif, Nalanda in case No. 991(M)/2022 under Sec. 107 Cr.P.C. whereby the proceeding under Sec. 107 Cr.P.C. has been initiated by the learned S.D.M. on police report wherein it is stated that on account of land dispute, tension has been prevailing between both the parties. Vide the impugned order, members of both the parties were ordered to file show cause as to why they should not be ordered to execute bond of Rs. 1,00,000/- with two sureties of the like amount each to maintain peace for one year. Hence, the revisionists are the aggrieved by the impugned order and preferred this revision petition.

No one turned up on behalf of revisionists on repeated calls. The learned Addl. P.P. on behalf of State is present. Heard.

Learned Addl. P.P. submitted that the matter relates to inquiry u/s 116 Cr.P.C. with respect to proceeding u/s 107 Cr.P.C. and more than six months have passed since the date of the impugned order and as such, the proceeding u/s. 107 Cr.P.C. has lost its legal force and has become infructuous.

P.T.O.

COURT OF SESSIONS JUDGE, NALANDA, BIHARSHARIF.

CRIMINAL REVISION No. 198 of 2022

Continued
26.09.2023

From perusal of the impugned order dated 23.08.2022, it appears that since the date of the impugned order, more than six months have passed and the order relates to inquiry u/s.116 of the Cr.P.C. with respect to the proceeding initiated u/s.107 Cr.P.C. against the parties and under the aforesaid provisions, inquiry shall be completed within a period of six months from the date of its commencement and if the inquiry is not completed within six months, the proceeding shall stand terminated.

In the aforesaid circumstance, since the inquiry has not been completed within six months, the proceeding u/s. 107 Cr.P.C. has become infructuous and the impugned order dated 23.08.2022 passed in Case No. 991(M)/2022 has lost its legal force. Accordingly, this revision petition is hereby **dismissed as infructuous.**

Let a copy of this order be sent to the learned S.D.M., Biharsharif, Nalanda for information and needful.

(Dictated & Corrected)

Sd.....

(Hasmuddin Ansari)
Sessions Judge, Nalanda.
Biharsharif.