

IN THE HIGH COURT OF JHARKHAND, RANCHI

Cr.M.P. No. 880 of 2022

Amit Kumar and Others Petitioners

-- Versus --

The State of Jharkhand and Anr. Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :- Mr. Anup Kumar Agarwal, Advocate

For the State :- Mr. P.D.Agarwal, Spl.P.P

For the O.P.No.2 :- Mr. Sanjay Kumar, Advocate

3/21.09.2022 I.A. No.8314 of 2022 has been filed for amendment in the prayer portion of the petition.

The learned counsel for the petitioners submits that inadvertently the quashing of entire criminal proceeding has not been challenged. He fairly submits that now the matter has been settled between both the parties and a divorce petition under section 13B of the Hindu Marriage Act has been filed by the petitioner as well as the O.P.No.2 who happened to be wife of the petitioner. He submits that this petition was filed challenging the order rejecting petition under section 311 Cr.P.C and in that view he seeks permission to withdraw the instant I.A to file the separate Cr.M.P. petition challenging the entire criminal proceeding.

The I.A. No.8314 of 2022 is permitted to be withdrawn and disposed of as such.

Mr. Sanjay Kumar, the learned counsel has appeared on behalf of the O.P.No.2 and hence there is no need to issue notice upon the O.P.No.2. He seeks four weeks' time to file counter affidavit.

Let it appear after four weeks.

(Sanjay Kumar Dwivedi, J.)

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