

(2020) 02 JH CK 0069

In the Jharkhand High Court

Case No : Criminal Revision No. 1448 of 2019

Kumud Ranjan @ Pintu Sharma

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 05-02-2020

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 420, 468, 471
Prevention of Corruption Act, 1988 — Section 13(i)(d), 13(2)
Code Of Criminal Procedure, 1973 — Section 239

Citation : (2020) 02 JH CK 0069

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : Vikash Kumar, Rohit Sinha

Final Decision : Dismissed

Judgement

1. This petition has been filed to challenge the legality, propriety and correctness of the order dated 03.10.2019, passed by learned Special Judge, CBI, Ranchi in RC3(A)/2017-R registered under Section 120B/420/468 and 471 of the Indian Penal Code and Section 13(2) read with Section 13(i) (d) of the Prevention of Corruption Act, whereby an application preferred by the petitioner under Section 239 of the Code of Criminal Procedure for discharge was rejected without considering the facts and circumstances of this case and fixed the case for framing of charge on 08.11.2019, this case is now pending before the Court of learned Special Judge, CBI, Ranchi.

2. The learned counsel for the petitioner Mr. Vikash Kumar seeks permission to withdraw this petition, as charge has already been framed during the pendency of this case. He further submits that he may be permitted to raise all the points taken in this application at the appropriate stage before the learned court below. He submits that withdrawal of this case may not prejudice the case of the petitioner.

3. Learned counsel for the Anti-Corruption Bureau has no serious objection to the

aforesaid prayer.

4. Accordingly, this petition is permitted to be withdrawn with liberty to raise all the points taken in this application and the points which may be available to the petitioner under law before the learned court below in accordance with law and withdrawal of this case will not prejudice the case of the petitioner in any manner.

5. Pending I.A., if any, stands dismissed as not pressed.

6. Let this order be communicated to the court concerned through FAX.