

(2021) 10 JH CK 0014
In the Jharkhand High Court
Case No : Criminal Revision No. 832 Of 2012

Yogendra Yadav And Others

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 18-10-2021

Acts Referred:

Citation : (2021) 10 JH CK 0014

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : A.K. Das, Saurav Kumar, Shailesh Kumar Sinha, Abhay Prakash

Judgement

Anubha Rawat Choudhary, J

1. Heard Mr. A.K. Das, learned counsel appearing on behalf of the petitioners along with Mr. Saurav Kumar, Advocate.
2. Heard Mr. Abhay Prakash, learned counsel appearing on behalf of the informant.
3. Heard Mr. Shailesh Kumar Sinha, learned counsel appearing on behalf of the opposite party-State.
4. The learned counsels for the parties have submitted that a supplementary affidavit has been filed on behalf of the State of Jharkhand explaining the circumstances under which no criminal antecedent in connection with Golmuri P.S. Case No. 89 of 2021 was projected, so far as the petitioner No. 3 is concerned.
5. The learned counsel for the petitioners submits that the named accused in the case being Golmuri P.S. Case No. 89 of 2021 was one Mithu Yadav whose parentage was also not reflecting in the F.I.R. and the petitioner No. 3 is not the same as Mithu Yadav. However, on account of the fact that he was being sought after by the police, stating that Mithu Yadav is same as the present petitioner No. 3, and he has taken anticipatory bail. He has also submitted that charge sheet in

the instant case has not yet been submitted and upon submission of charge sheet only, it will be clear as to whether the petitioner No. 3 is the same as Mithu Yadav or not.

6. In response, learned counsel for the State submits that in para 8 of the supplementary affidavit of the State, it has been stated that Mithu Yadav is the same person as petitioner No. 3. However, he does not dispute the fact that so far, charge sheet has not been submitted. He has also submitted that the petitioner No. 3, though has obtained the anticipatory bail, but has not furnished his bail bond so far. Accordingly, investigation against the petitioner No. 3 is pending. He also submits that the entire scenario will be clear only when the charge sheet is submitted.

7. Accordingly, the counsel for the petitioners as well as the State have submitted that the matter may be adjourned for at least two months so that it may be ultimately clear as to whether there Golmuri P.S. Case No. 89 of 2021 is against the petitioner No. 3 or not.

8. It is further submitted by the learned counsel for the petitioner as well as opposite party No. 2 that the offences involved in the present case are compoundable with the permission of this court. They also submit that the offence is of the year 2007 and they are immediate neighbours and the alleged offence was committed on account of private dispute between the neighbours. They submit that if a meeting between them is facilitated through legal services authority, it is all likely that they may settle the dispute and joint compromise petition may be filed in the instant case, of course subject to acceptance by this court. Accordingly, they submit that the matter may be referred to District Legal Services Authority, Jamshedpur so that appropriate steps may be taken by the District Legal Services Authority for the purposes of settlement between the petitioners and the informant and peace may be ultimately achieved between the parties.

9. Considering the aforesaid submission, the petitioners as well as informant may approach the Secretary, District Legal Services Authority at Jamshedpur over phone on mobile number 9308990653 on 25.10.2021 between 11 A.M. to 1 P.M., who may give a suitable date and time to the petitioners as well as informant for their appearance before him and may take appropriate steps for resolution of the dispute between the parties by appointing a mediator for the purpose and submit a report before this court latest by 15.12.2021.

10. Let a copy of this order be communicated through FAX/e-mail to the learned Secretary, District Legal Services Authority, at Jamshedpur.

11. Post this case on 20.12.2021.