

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 3599 of 2017

1. Kedarnath Pandey
2. Usha Pandey

... .. **Petitioners**

Versus

1. The State of Jharkhand
2. Ganpati Tiwary

... .. **Opposite Parties**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners
For the State

: Mr. Lukesh Kumar, Advocate
: Mr. Ram Prakash Singh, A.P.P.

02/19.12.2017 Heard Mr. Lukesh Kumar, learned counsel for the petitioners and Mr. Ram Prakash Singh, learned A.P.P. for the State.

In this application, the petitioners have prayed for quashing of the orders by virtue of which coercive steps have been directed to be taken against the petitioners as also the order dated 22.09.2017 in terms of which the record has been consigned to the record room and permanent warrant of arrest has been issued against the petitioners.

At the outset, it has been submitted by the learned counsel for the petitioners that he is confining his prayer only with respect the orders dated 27.07.2016, 14.12.2016 and 22.09.2017.

Perusal of the impugned orders dated 27.07.2016 and 14.12.2016 reveals that the same do not contain subjective satisfaction of the learned Magistrate. In absence of any cogent and justifiable reason the impugned orders dated 27.07.2016 and 14.12.2016 passed by the learned C.J.M., Garhwa in connection with Complaint Case No. 880/2014, are hereby, quashed and set aside.

Consequent to the quashment of the order as aforesaid the impugned order dated 22.09.2017 is also hereby quashed.

This application is allowed to the extent mentioned hereinabove.

However, the learned Magistrate is at liberty to proceed further in accordance with law.

(R. Mukhopadhyay, J.)