

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18589 of 2012

Arising Out of PS.Case No. -10 Year- 2012 Thana -null District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Subhash Chand Aggarwal S/o Sri M.G. Agrawal, CMD, SMC Global Securities Ltd., 11/6B, Shanti Chamber, Pusa road, New Delhi-110005
 2. Prabhat Kumar S/o Ram Naresh Sharma, Partner, Militia Share and Securities
 3. Santosh Kumar s/o Bijay Kumar Singh, Partner, Militia Share and Securities, both 2 & 3 at Talparia Complex, Near Ashok Picture Hall, Budh Marg, Patna
- Petitioner/s

Versus

1. The State of Bihar
 2. Sanju Kumari w/o Shri Manoj Kumar, House No.152, ward No.37, Chotta Bariyarpur, P.S. Chhattauni, Motihari, Dist. East Champaran
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 23-02-2015

The Petitioners seek quashing of the First Information Report of Chatauni P.S. case No.10 of 2012 pending in the court of Chief Judicial Magistrate, Motihari, East Champaran.

It has been submitted that as per the arbitration clause the matter was referred to an Arbitrator, who decided in favour of the Petitioners and, therefore, the continuance of the present First Information Report is unwarranted. The further submission is that it is a motivated Complaint and the Petitioner No.1 being the Head of the Organization and Petitioners No.2 and 3 being its partners are ready to co-operate with the investigation and hence they should be given interim protection.

Since the investigation should be rarely interfered with, I am not inclined to interfere in the matter.

The Investigating Officer is directed to conclude the investigation positively within a period of four months from the date of receipt of this order, considering the aforesaid submissions.

The application stands disposed of with the aforesaid observations.

Let this order be communicated to the Superintendent of Police, East Champaran at Motihari through FAX at the cost of the Petitioners for its onward transmission to the Investigating Officer in connection with Chatauni P.S. case No.10 of 2012 pending in the court of Chief Judicial Magistrate, East Champaran at Motihari.

(Anjana Prakash, J)

Narendra/-

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