

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11781 of 2009

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

- =====
1. M/S Web Tech Engineering(P) Plot No. 20 Section 25 Faridavad.
 2. Shri Sabha Jeet Singh The Managing Director of M/S Web Tech Engineering (P) Plot 20 Section 25 Faridabad

.... Petitioner/s

Versus

1. State of Bihar.
2. Rajesh Kumar S/o Late Girija nandan Pd. Singh.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bikramdeo Singh, Adv.
For the Opposite Party No. 2 : Mr. Tej Narayan Singh, Ad.
For the State : Mr. C Jawahar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 13-07-2015

The petitioners seek quashing of the order of cognizance 18.12.2006 passed by the Judicial Magistrate 1st Class, Patna in Complaint Case No. 3158 C of 2006.

The case of the complainant is that he purchase a Rotary Printing Machine from the firm of the petitioner no. 2 for which he paid the required amount. Subsequently the petitioner no. 2 persuaded him to purchase the 'Copier Sheeter Machine' and for that also he paid Rs. 3,28,842/- but the machine was not delivered to him.

From the facts of the case stated in the petition it appears that the petitioners had taken action against the complainant when the cheque given by him had been dishonored and it is only thereafter, to create a defence the present complaint was filed. Hence the

application is allowed and the order of cognizance 18.12.2006 passed by the Judicial Magistrate 1st Class, Patna in Complaint Case No. 3158 C of 2006 is hereby set aside.

(Anjana Prakash, J)

Prakash/-

U		T	
---	--	---	--