

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14105 of 2013

Arising Out of PS.Case No. -45 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Urmila Devi W/O Nageshwar Prasad Barnwal
 2. Nageshwar Prasad Barnwal S/O Hansnath Prasad Barnwal both 1 and 2 are Resident Of Mohalla- Banjari More, P.S. And District- Gopalganj
 3. Ramesh Jee @ Ramesh Prasad S/O Jaianti Lal Barnwal Resident Of Mohalla- Bari Bazar, Gopalganj, In Front Of Bangali Sweets House (North Side Of Road), P.S. And District- Gopalganj

.... Petitioner/s

Versus

1. The State Of Bihar
2. Vidya Bhushan Singh S/O Late Krit Singh Resident Of Mohalla- Rajendra Nagar, P.S. And District- Gopalganj (O.P. no.2 died in view of the order dated 17.7.2014 and substituted his legal heirs (2)(a) Ravi Kumar, (b) Shashi Kumar, both sons of late Vidya Bhushan Singh of village Rajendra Nagar, near Bus stand, P.S. & Distt. Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Pd., Advocate
Mr. Naripendra Kr., Advocate
For the Opposite Party/s : Mr. R.B. Roy Raman, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-09-2015

The Petitioners seek quashing of the order of cognizance dated 26.2.2013 passed by the court of Sri R.K. Tripathi, J.M., Gopalganj in Complaint case No.45 of 2012 (Trial No.3160 of 2013).

The case of the Complainant is that the accused persons in order to harass him instituted a C.W.J.C. in a Title Suit pending between them.

It has been submitted that in fact the Complainant having been confused with a wrong token number had filed this Complaint.

On the last occasion notices had been issued to the Opposite Party No.2 but none appears on his behalf.

Having considered the materials on record, the application is allowed and the proceeding including the order of cognizance dated 26.2.2013 passed by the court of Sri R.K. Tripathi, J.M., Gopalganj in Complaint case No.45 of 2012 (Trial No.3160 of 2013) is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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