

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9846 of 2009

Arising Out of Complaint Case No. 648C Year- 2002 District- PATNA

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1. Anjani Kumar Jha, son of late Sachida Nand Jha
2. Manju Jha, wife of Anjani Kumar Jha
3. Punit Alok, son of Sri Anjani Kumar Jha
All residence of A.G. Colony, Jai Prakash Nagar, Ashiana Nagar, P.S. Shastri Nagar, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumar, son of Sri Bodh Krishna Jha, residence of Sri nagar, A.G. Colony, Ashiana Nagar, P.S. Shastri Nagar, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Adv.

For the State : Mr. Anant Pd. Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-07-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners seek quashing of the order dated 26.11.2008 passed by the Additional Sessions Judge, Fast Track Court No. 1, Patna, in Criminal Revision No. 325/24 of 2006/2006 by which he has affirmed the order dated 16.11.2015 passed by the Judicial Magistrate, 1st Class, Patna, in Complaint Case No. 648 C of 2002 by which he has refused to discharge the Petitioners.

It appears that the dispute between the Parties was financial in nature and on orders of this Court, the Petitioners had refunded certain amount of money.

The Complainant submits that he still has a grievance

with the accused persons since he was not given the interest amount. He is however ready to forego the same on condition that the counter Complaint filed by the Petitioner bearing Complaint Case No. 2086 of 2001 pending before the Judicial Magistrate, Patna, be set aside. The Petitioner is agreeable to such proposal.

In view of such understanding, the application is allowed and the order dated 26.11.2008 passed by the Additional Sessions Judge, Fast Track Court No. 1, Patna, in Criminal Revision No. 325/24 of 2006/2006 by and the order dated 16.11.2015 passed by the Judicial Magistrate, 1st Class, Patna, in Complaint Case No. 648 C of 2002 are, hereby set aside. Also further Proceeding of Complaint Case No. 2086 of 2001 pending before the Judicial Magistrate, Patna, is hereby set aside.

Application stands allowed.

(Anjana Prakash, J)

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