

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42301 of 2012

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Amarnath Gupta, S/O Late Rajendra Prasad Gupta, Proprietor of Rajendra Book Depot, Sagarmal Chowk, Khagaria, P.S. & District- Khagaria

.... Petitioner

Versus

1. The State of Bihar.
2. Harish Prasad Singh, S/O Late Ram Chandra Prasad Singh, Proprietor of Sujit Agency, Resident of Mohalla- Rajhata Binodpur Katihar, District- Katihar

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dharendra Singh, Advocate
For the State : Mr. Mayanand Jha (APP)
For Opposite Party No.2 : Mr. A.K. Mouar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

5 16-04-2015 This petition is filed under Section 482 Cr.P.C. to quash the proceedings in Complaint Case No.2271 of 2006 pending in the court of the Chief Judicial Magistrate, Katihar.

Heard learned counsel for the petitioner, learned counsel for the complainant and the learned Additional Public Prosecutor for the State.

From a perusal of the complaint, it becomes clear that the petitioner, on the one hand, and the complainant, on the other hand, entered into an agreement for supply of stationery. The petitioner purchased stationery goods worth Rs.1,16,418.61 paise and paid a sum of Rs.94,785/-. In effect, the dispute is in relation to about Rs.20,000/-.

During the pendency of the petition, a demand draft for a sum of Rs.20,000/- has already been issued to the complainant. Therefore, nothing remains to be paid. At any rate, the dispute is of civil nature. The petition is dismissed.

However, it is directed that in case there is any difficulty in encashment of the demand draft in question, the petitioner shall issue revised demand draft to the complainant.

(L. Narasimha Reddy,CJ)

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