

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 49836 of 2012

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

Mr. Vipin Jain

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-11-2015

The petitioner seeks quashing of the order 04.11.2011 passed by the Judicial Magistrate, 1st Class, Patna in Complaint Case No. 1948 C of 2011.

The case of the complainant is that he had paid Rs. 5,75000/- to the accused persons but they did not supply the articles.

The petitioner submits that it is a case of miss-accounting and no ingredient of a criminal offence is made out.

On the other hand counsel for the complainant submits that since the petitioner had not supplied articles and misappropriated his money, he should be put on trial.

Considering the facts of the case, since in my opinion no criminal offence is made out and at best it is a dispute over settlement of accounts, the application is allowed and the order dated 04.11.2011

passed by the Judicial Magistrate, 1st Class, Patna in Complaint Case
No. 1948 C of 2011 is hereby set aside.

(Anjana Prakash, J)

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