

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20903 of 2011

Arising Out Complaint Case No.2530(c) Year 2006 District- PATNA

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Ajay Kumar, son of Sri Bankebihari, resident of Prem Nikunj, Manas Path, Gudari Hospital More, P.S. Khajekalla, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Dhirendra Kumar, son of Sri Jogendra Kumar, resident of Mohalla Bahadurpur Housing Colony, P.S. Agamkuan, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar, Adv.
Mr. Ashok Kumar Singh, Adv.

For the State : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 20-03-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 25.9.2006 passed in Complaint Case No. 2530 (c) of 2006 by the Judicial Magistrate, 1st Class, Patna.

The submission of the Petitioner is that the dispute was with regard to Rs.1,51,000/- which the amount has already been returned to the Opposite Party No. 2.

Notices had been issued to the Opposite Party No. 2 but despite service of notice upon the counsel appearing on his behalf, he has not appeared.

Accepting the submission of the Petitioner, the application is allowed in the interest of the Parties and entire proceeding including

the order of cognizance dated 25.9.2006 passed by the Judicial Magistrate, 1st Class, Patna, in Complaint Case No. 2530(c) of 2006 is hereby set aside.

(Anjana Prakash, J)

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