

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44031 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

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1. Morepen Laboratories Limited Regd. Office Morepen Village, Malkamazra Nalagarh Road, Near Baddi District- Solan Himachal Pradesh, And Its Corporate Office At 4th Floor, Antriksh Bhawan, 22, K.G. Marg, New Delhi-110001 Through Its Authorized.
 2. Mr. Sushil Suri, Chairman & Managing Director C-40, Anand Niketan , New Delhi.
 3. Mr. Manoj Joshi, Director B-6/64, Safdargung, Enclave, New Delhi.
 4. Mrs. Mamta Suri, Director C-40, Anand Niketan , New Delhi.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Shri S. Anwar Ali Khan S/O Not Known Opp. Bodshah Manzil, Guzri Bazar, P.O. & P.S.- Patna City, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-03-2015

The petitioners seek quashing of the order of cognizance dated 30.03.2005 passed by the Sub-Divisional Judicial Magistrate, Patna in Complaint Case No. 458 C of 2005.

The case of the complainant is that the Petitioner no. 1 is a registered company under the Companies Registration Act and Petitioners no. 2-7 are its officers. The accused persons are said to have persuaded the complainant to invest an amount in a certain scheme which he did. However, on maturity of the scheme he was not paid the requisite amount.

It appears that the complainant had filed an application in the Court below for withdrawal of the complaint on 13.05.2006 since he had been paid his due upon which no order has passed as yet.

In view of the aforesaid fact, the application is allowed so far as the petitioners are concerned. The order of cognizance dated 30.03.2005 passed by the Sub-Divisional Judicial Magistrate, Patna in Complaint Case No. 458 C of 2005, is hereby quashed.

(Anjana Prakash, J)

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