

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13569 of 2010

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

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Sanjiv Kumar @ Sanjiv Kumar Poddar son of Sri Sachchidanand Poddar, Resident
of Mohall

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Debesh Kumar Poddar, Adv.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 28-09-2015

The petitioner seeks quashing of the order of cognizance dated 29.05.2009 passed by the Judicial Magistrate, Katihar in Complaint Case No. 1992 of 2008.

The case of the complainant is that he used to make wooden furniture on order. The accused person who was known to him taking advantage of his liberal attitude requested him to supply furniture and even though he did so the petitioner did not pay in full. Hence the present complaint.

It has been submitted on behalf of the petitioner that no doubt there was some business transaction between the parties which led to institution of the present complaint and both the parties have supported their claim and the allegations are merely oral in nature.

Having considered the background facts, I would be inclined to hold that continuance of present proceeding would be a useless

formality. Hence the application is allowed and the order of cognizance dated 29.05.2009 passed by the Judicial Magistrate, Katihar in Complaint Case No. 1992 of 2008 is hereby set aside.

(Anjana Prakash, J)

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