

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41553 of 2014

Arising Out of Complaint Case No. -159 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

- =====
1. Sakaldeo Tiwari Son of Late Rajvanshi Tiwari
 2. Rajkishore Tiwari @ Bhikhari Tiwari Son of Sakaldeo Tiwari
 3. Ajay Tiwari Son of Ganesh Tiwari
- All R/o Village Gosi Chapra, P.S. Bheldi, District Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Kamla Kunwar Wife of Late Sakaldeo Pandey R/o Village Sohari
Mathiya Sutihar, P.S. Derni, district Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

3 27-04-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend arrest in Tr. No. 4509 of
2014 arising out of Complaint Case No. 159 of 2013 dated
21.01.2013 instituted under Sections 420/34 of the Indian Penal
Code.

Learned counsel for the petitioners submits that the

complaint case was filed under Sections 420/34 of the Indian Penal Code alleging the sale deed erroneously executed by the complainant. Without going into the merits of the case, learned counsel submits that compromise petition has been filed by the complainant in which the sale deed, which is the subject matter of the present dispute, has been stated to be genuine by the complainant herself.

Learned A.P.P. submits that the case being filed under Section 420 of the Indian Penal Code, the same being compoundable and the complainant filing compromise petition, the present application has become infructuous as there is no genuine apprehension of arrest since the case itself has been compromised.

In view of the aforesaid, learned counsel for the petitioners seeks permission to withdraw the application so as to appear before the court below for closing of the case in terms of the compromise and in the meantime praying not to take coercive steps against them.

Accordingly, the application stands disposed off as withdrawn with the liberty aforesaid.

(Ahsanuddin Amanullah, J)

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