

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15041 of 2014

Arising Out of PS.Case No. -25 Year- 2012 Thana -PATNA COMPLAINT CASE District- PATNA
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1. Anil Kumar Singh @ Anil Singh Son Of Shyama Singh R/O Village-
Allauddin Chak, P.S. Punpun, District-Patna
2. Mukesh Kumar Singh Son Of Late Ram Prasad Singh R/O Village-
Lochna, P.S. Pupun (Pipra), District-Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Rita Devi Wife Of Binod Singh R/O Village-Allauddin Chak, P.S.
Punpun, District-Patna

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Veena Kri Jaiswal(App)
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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6 05-11-2015

The petitioners seek quashing of the order of cognizance dated 30.01.2013 passed by the learned Judicial magistrate Masaurhi, Patna in complaint Case No. 25 C /2012.

The case of the complainant is that taking advantage of her situation some persons created false document and prepared panchnama on which the petitioners were signatories.

It has been submitted on behalf of the petitioners that a title Suit No. 692 of 2011 is going on on account of this dispute and the same was decided and hence the present complaint should not proceed. He further submits that the

petitioners denied their interest in the property and they have made signature on the documents for legal reasons and ready to retract from the same. They shall not pursue the veracity of the documents on the basis of their signature on the same.

On the other hand counsel for the complainant submits that since the petitioners had acted in collusion with the rest of the accused persons, therefore, they should also be put on trial.

Having considered that the petitioners in bonafide belief had signed the document and are ready not to authenticate the same to the disadvantage of the complainant. The application is allowed and the proceeding as against the petitioners is quashed.

(Anjana Prakash, J)

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