

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7821 of 2010

Arising Out of PS.Case No. 1344 Year- 2005 Thana -null District- PATNA

- =====
1. Jyotsna Arora wife of Sri Ashok Arora
 2. Richa Arora daughter of Ashok Arora (wife of Sri Dheeraj Piplani)
 3. Achal Arora son of Ashok Arora
 4. Lubha Narad wife of Achal Arora, all are residents of House No.324, Housing Board Colony, Gurgaon, Police Station Gurgaon, District Gurgaon, Haryana
- Petitioner/s

Versus

1. The State of Bihar
2. Mrs. Archana Choudhary, wife of late Dr. Anil Kr. Choudhary, resident of Flat No.202, Shree Apartment, S.P. Verma road, Police Station Kotwali, Patna 800001

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Abhay Kumar, APP
For Opposite Party No.2 : None

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 15-09-2015

No one appears on behalf of the Petitioners or the Opposite Party No.2.

The Petitioners seek quashing of the order of cognizance dated 21.5.2005 passed by the Judicial Magistrate, 1st class, Patna in Complaint case No.1344C of 2005.

The case of the Complainant is that the accused persons started transacting business with the Complainant, in which course the accused persons started defaulting in payment of money and hence the present Complaint.

Evidently in the facts of the Complaint Petition, at best a

civil dispute is made out and the case should not proceed on such vague and non-specific allegations.

Having considered the aforesaid, the application is allowed and the proceeding including the order of cognizance dated 21.5.2005 passed by the Judicial Magistrate, 1st class, Patna in Complaint case No.1344C of 2005 without prejudice to either party is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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