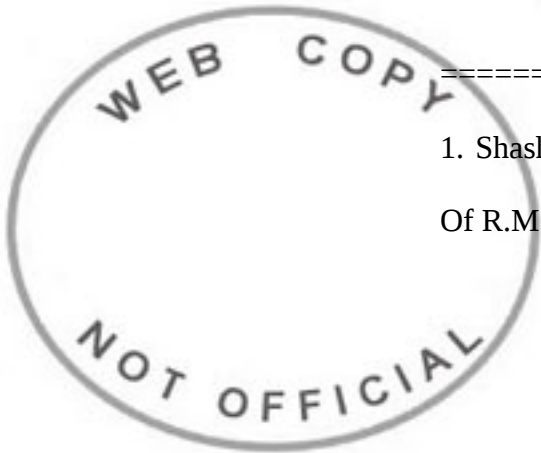


IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42692 of 2012



1. Shashi Bhushan Singh @ Shashi Bhusan Son Of Jhapsi Singh Resident Of R.M.S. Colony Road Kankarbagh, P.S. - Kankarbagh, District - Patna.

.... .. Petitioner/s

Versus

- 1. The State Of Bihar.
- 2. Ganesh Singh Son Of Mukhram Singh Resident Of Village - Paiga, P.S. - Barhara, District - Bhojpur.

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Choudhary Jawahar (APP)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 14-05-2015 Opposite party no.2 filed a complaint before the court of Chief Judicial Magistrate, Ara against the petitioner and three others, alleging offences punishable under section 420 and other sections of the Indian Penal Code.

2. The allegation was that the accused made the opposite party no.2 to believe that they are offering employment, and thereafter cheated him. The trial court examined the matter in some detail and found that the inclusion of the names of Nirmal Singh and Paramjeet Kaur is not necessary, and ultimately has taken cognizance of the offences against the petitioner and one Sri Ashok Singh through the order dated 3-9-2011 in Tr.No. 5197/11. The same order taking cognizance is under challenge.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor.

4. The truth or otherwise of the allegations made against the petitioner needs to be considered only at the trial. Once there is serious allegation against the petitioner relating to the acts of cheating, it is difficult for this Court to quash the same on the basis of mere denial by the petitioner. This Court is not inclined to interfere with the proceeding.

5. This criminal miscellaneous petition is, accordingly, dismissed.

(L. Narasimha Reddy,CJ)

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