

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34341 of 2008

Arising Out of Complaint Case No.658C Year- 2006 District- SAHARSA

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Ganesh Yadav, son of late Lachho Yadav, resident of village Goudram, P.S.
Basnahi, Distt. Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jawahar Yadav, son of late Dorik Yadav, resident of village Goudram, P.S.
Basnahi, Distt. Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the State : Ms. Pronati Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 19-05-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 23.5.2007 passed by the Sub Divisional Judicial Magistrate, Saharsa, in Complaint Case No. 658C of 2006.

The case of the Complainant is that he had purchased a certain piece of land but, later on, the Petitioner got executed a forged sale deed in his favour in regard to the same piece of land.

It has been submitted on behalf of the Petitioner that he is purchaser and the co-accused had sold the land to him claiming to be the bona fide owner on account of which he entered such a transaction. If at all there is any reason for Complaint, it is against co-accused.

On the last occasion, notices had been issued to the Opposite Party No. 2 but none appears on his behalf.

In the interest of justice, further Proceedings of the Complaint Case No. 658C of 2006 is hereby set aside. Also further Proceedings of Complaint Case No. 23C of 2007 which was sent to the Police for investigation, is hereby set aside.

The application stands allowed with the aforesaid observation.

(Anjana Prakash, J)

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