

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 29515 of 2012

Arising Out of PS.Case No. -8 Year- 2012 Thana -null District- EASTCHAMPARAN(MOTIHARI)

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1. Ambika Dutta @ Chhotoo son of Late Sachidanand Singh.
 2. Mosmat Kishori wife of Late Sachidanand Singh.
 3. Durga Dutta son of Late Sachidanand Singh all are resident of Mohalla Shantipuri P.S. Town Motihari District East Champaran.
 4. Ranjit Kumar Singh, son of Krishan Prasad.

.... Petitioner/s

Versus

1. State of Bihar.
2. Arti Pandey wife of Sri Sanjeev Kumar Pandey resident of village Lal Saraiya P.S. Manjhowliya District West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-04-2015

The petitioners seek quashing of the order dated 22-23.04.2012 passed by the Chief Judicial Magistrate, Motihari, East Champaran in Town P.S. Case no. 08 of 2012.

The case of the informant is that the petitioners received Rs. 27,96,000/- as white money through Cheque from the informant for sale of certain plots of land. However, after the documents were prepared, the Petitioner no. 2 put her thumb impression and finger print but refused to register the land. When the informant asked them to refund the amount, the Petitioners no. 1 and 2 thereafter transferred certain amount to his account but not entire and hence the case.

It has been submitted that around Rs. 47 lacs has already

been returned to the informant as is evident from order dated 05.03.2014 passed in C.W.J.C. No. 21882 of 2013.

Let it be kept on record.

On the last occasion, notices had been issued to the O.P. No. 2 but none appears in his behalf. I would think that probably O.P. No. 2 does not wish to proceed with the matter in view of the subsequent development.

Considering that initially the dispute arose from a financial transaction which has been settled, the application is allowed and the order dated 22-23.04.2012 passed by the Chief Judicial Magistrate, Motihari, East Champaran in Town P.S. Case no. 08 of 2012, is hereby quashed.

(Anjana Prakash, J)

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