

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 48148 of 2012

Arising out of P.S. Case No. -2263 Year- 2012 Thana –
Complaint Case District- Muzaffarpur

=====

Bhushan Kumar Singh S/o Sri Ramswarath Singh Resident of
Krishnapur Shekhpur, Akhara Ghat Road, P.S.- Ahiyapur, Dist.-
Muzaffarpur, At Present Working As The Branch Manager, Canara
Bank, Juran Chapra Branch, Muzaffarpur, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Onkar Kumar, Adv.

For the Opposite Party/s: Mr. APP.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-12-2015

The Petitioner seeks quashing of the FIR of
Brahampur P.S. Case No. 164 of 2012 arising out of
Complaint Case No. 2263 of 2012 pending before the
Chief Judicial Magistrate, Muzaffarpur.

The case of the Complainant is that the
Informant was a loanee of the Bank where the Petitioner
was the Branch Manager and he had taken loan of
certain amount of money which he was unable to pay
thereafter a compromise was arrived at between the Bank
Officials and the Informant at which the Informant repaid
the amount. The Bank Officials however did not return
the documents and instead sent him a legal notice for
deposit of interest amount.

It has been submitted that if, at all, a legal notice was sent it was open to the Informant to go to the Bank and explain instead of instituting a First Information Report.

On the last occasion, notices had been issued to the Informant who has appeared and states that since the Bank Officials had harassed him they should be put on trial.

Having considered the contents of the First Information Report, the application is allowed and the further proceeding of FIR of Brahampur P.S. Case No. 164 of 2012 arising out of Complaint Case No. 2263 of 2012 pending before the Chief Judicial Magistrate, Muzaffarpur is, hereby, set aside without prejudice to the right of the parties.

The Application stands allowed.

(Anjana Prakash, J.)

Vikash/-

U		T	
---	--	---	--