

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40083 of 2012

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1. Ram Karan Mishra @ Fulo Mishra S/O Late Damodar Mishra R/O
Village - Asi, P.S. Ghanshyampur, Distt. - Darbhanga

2. Ram Prakash Mishra S/O Shiya Ram Mishra R/O Village - Asi, P.S.
Ghanshyampur, Distt. - Darbhanga

3. Ranjit Kumar Mishra S/O Shiya Ram Mishra R/O Village - Asi, P.S.
Ghanshyampur, Distt. - Darbhanga

.... **Petitioners.**

Versus

1. The State Of Bihar

2. Ram Lakhan Mishra S/O Late Damodar Mishra R/O Village - Asi, P.S.
Ghanshyampur, Distt. - Darbhanga.

.... **Opposite Parties.**

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Pradeep Nr. Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

5 01-04-2015

Heard the learned counsel for the petitioners.

Earlier the notice was issued to the opposite
party no.2 who has appeared through Vakalatnama.

Heard the learned counsel for the opposite party
no.2.

The petitioners have filed this application for
quashing the entire proceeding including the order dated
09.02.2007 passed by learned Sub Divisional Judicial Magistrate,
Biraul at Benipur in G.R.No.283/2006/Tr.No.1580/07 arising out

of Ghanshyampur P.S. Case No.74/06 under Sections 341,323,504/34 IPC.

The learned counsel for both the parties have jointly stated that the petitioners and the opposite parties are uncle and cousin brother and the dispute between them has now been amicably settled. It has also been accepted by the learned counsel for the parties that after the alleged occurrence no further dispute has arisen between the parties and they are living peacefully. The learned counsel for the parties have also pointed out that earlier the matter has come before this Court at the instance of the opposite party no.2 praying for quashing the entire proceeding initiated on the basis of complaint filed by the petitioners and this Court by order dated 04.04.2012 (Annexure-3) has allowed the said petition in view of the fact that the peace has been restored between the parties.

After considering the aforesaid facts and submissions as well as the stand of the learned counsel for the parties that the good feeling between the parties have now been restored and they belong to one family, this Court is of the opinion that in the interest of justice the prayer made by the petitioners be allowed.

In the result, this application is allowed and the entire proceeding of G.R.No.283/2006/Tr.No.1580/07 arising out

of Ghanshyampur P.S.Case No.74/06 including the order dated 09.02.2007 by which cognizance has been taken is quashed with direction to the parties to maintain peace.

Nitesh/-

(V. Nath, J)

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