

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18586 of 2016

Arising Out of PS.Case No. -181 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Tata Teleservices Limited a company incorporated under the provisions of the Companies Act'1956 having its registered office at 10th Floor, Tower 1, Jeevan Bharti, 124, Cannaught Circus, New Delhi-110001 and its local Circle office for Bihar & Jharkhand Circle at Tata Teleservices Limited, Jeevan Prakash Building, Main Road Bistupur, 3rd Floor, Opposite Kamani Centre, P.S. Bistupur, Jamshedpur-831001, Jharkhand through its Authorised Signatory Mr. Kumr Harshvardhan aged about 49 years, son of Late Sh. Nawal Kishore Mishra presently posted as Deputy General Manager, Tata Teleservices Limited.

.... Petitioner

Versus

1. The State of Bihar
2. Alok Prabhakar, Son of Late Sh. Shiv Nandan Prasad, Managing director of M/s Kumar & Prabhakar Construction Company (P) Ltd. at Anand Sri Apartment, Road No.1, North Patel Nagar, P.S. Pataliputra, Town and District Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Chitranjan Sinha, Sr.Adv.
Mr. Ratnakar Pandey, Adv.

For the Opposite Party/s : Mrs. Anusuiya Jaiswal(App)
Mr. Shakti Suman Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 01-08-2016 Heard Sri Chitranjan Sinha, learned senior counsel, who was assisted by Sri Ratnakar Pandey, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Shakti Suman Kumar, learned counsel, who has voluntarily appeared on behalf of complainant.

The present petition was filed under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 05-03-2016 passed in Complaint Case No. 181(C) of 2016, whereby learned Judicial Magistrate 1st Class, Patna has taken cognizance of

offence under Sections 406, 420 and 120B of the Indian Penal Code.

At the very outset, learned senior counsel for the petitioner submitted that after filing of the complaint petition and the impugned order, dispute in between the parties has already been settled.

Sri Shakti Suman Kumar, learned counsel for the complainant does not dispute the submission of learned senior counsel. He submits that since the dispute in between the parties has already been settled, the complainant is not at all interested to further pursue the matter.

In view of the fact that complainant himself has agreed not to pursue the matter, the Court is of the opinion that no purpose would be served in allowing the proceeding in Complaint Case No. 181(C) of 2016 to further proceed.

Accordingly, in view of agreement in between the parties, the entire proceeding in Complaint Case No. 181(C) of 2016, including the order of cognizance dated 05-03-2016 passed by learned Judicial Magistrate 1st Class, Patna is hereby set aside and if the petitioner is on bail, he is discharged from his bail-bond.

The petition stands allowed.

(Rakesh Kumar, J.)

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