

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21068 of 2012

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1. Dharambir Kumar S/O Sri Ran Vijay Bahadur Singh Zonal Head, M/S Teleservices Limited, Maharaja Kameshwar Complex, Frazer Road, P.S. Kotwali, Distt. Patna.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. M/S Jai Matadi Digital Works Having Its Office At Main Road N.H. 30, Bakhtiyarpur, P.S. Bakhtiyarpur, District Patna Through Its Partner Sharban Kumar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey

For the Opposite Party/s : Mr. P. Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 28-07-2016

This application has been listed under the heading “For Orders (On Office Notes)”. It would appear from the notings made by the Registry that the case has been dismissed for non-compliance of the Court’s order dated 11th July, 2016 against the complainant-opposite party no.2.

In the present case, the petitioner has prayed for quashing of the entire prosecution of Complaint Case No. 2817(C) of 2010 including the order dated 10th June, 2011 passed by the learned Judicial Magistrate 1st Class, Patna whereby the petitioner has been summoned to face trial for the offences punishable under Sections 406, 420 and 504/34 of the Indian Penal Code. The processes were issued by the court on the basis of examination of

the complainant on oath under Section 200 of the Code of Criminal Procedure and the enquiry conducted under Section 202 of the Code of Criminal Procedure.

The complainant of the case is a necessary party. In his absence the instant application under Section 482 of the Code of Criminal Procedure cannot proceed.

In that view of the matter, the application is disposed of.

(Ashwani Kumar Singh, J)

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