

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 45952 of 2013

Indu Devi, W/O Sri Raghunath Sharma, Resident of Village - Manjhiawan,
Police Station - Kurtha in the District of Arwal

.... Petitioner

Versus

1. The State of Bihar
2. Sidheshwar Prasad, S/O Late Ramdahin Yadav
3. Sanjay Kumar, S/O Sidheshwar Prasad
4. Munna Kumar, S/O Sri Rajendra Prasad,
All residents of village - Irki, Tola Tewariya, Police Station -
Jehanabad in the District of Jehanabad

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 10-03-2016

Heard.

This is a petition for quashing the order dated 05.08.2013 passed by Sri Sanjay Singh, learned Judicial Magistrate, 1st Class, Jehanabad by which he has dismissed the Complaint Case No. 100 of 2013 filed by the petitioner under Section 203 Cr.P.C. on the ground of civil dispute.

The allegation in the complaint petition is that the husband of the complainant entered into an agreement of sale in order to purchase certain piece of land and paid Rs.4,84,000/- to the opposite parties no. 2 to 4.

Learned counsel for the petitioner submits that neither the sale deed has been executed nor the money has been

returned back.

However, the allegation made is only a breach of contract and is a matter of civil consequence and further the observation of the Court below is that neither the sale deed nor the agreement of sale brought on record.

Hence, I do not find any merit to interfere with the order impugned. This application is, accordingly, dismissed with liberty to the petitioner to pursue his remedy in accordance with law.

(Gopal Prasad, J)

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