

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.682 of 2014

Arising Out of PS.Case No. -441 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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Yaswant Singh, Son of Late Ram Sewak Prasad, Resident of Village
Lasgaripur, P.S. Kanti, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumar Prasad Choudhary, Son of Late Sudhakar Prasad
Choudhary, Resident of Village- Kalwari, P.S.- Kanti, District-
Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 16-11-2016 Heard learned counsel for the petitioner and

learned APP for the State.

The present application has been filed for
quashing of the order dated 02.11.2013, passed by learned Sub-
Divisional Judicial Magistrate, West Muzaffarpur in Complaint
Case No. 441/2013, Tr. No. 3019/13 whereby processes were
directed to be issued after cognizance being taken for offences
punishable under Sections 467, 468, 471/34 of the Indian Penal
Code.

It has been alleged that the complainant, opposite
party No. 2 gave Rs. 17,98,000/- to the petitioner for executing a

sale deed with regard to a land but he executed a sale deed only for Rs. 43,000/- and Rs. 17,55,000/- was misappropriated. The matter has been referred to Patna High Court Mediation and Conciliation Centre under order dated 03.07.2015. In pursuance to the said order both parties appeared before the Mediator and an agreement resolving the dispute has been entered into between the parties on 27.11.2015. The petitioner has paid a sum of Rs. 3,25,000/- to opposite party No. 2 Krishna Kumar Prasad Choudhary, who has accepted the amount before the mediation cell. The said agreement has been sent by the Mediator along with report dated 30.11.2015.

In view of the agreement between the parties, the order taking cognizance dated 02.11.2013, passed by learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in Complaint Case No. 441/13, Tr. No. 3019/13 is quashed. The parties are directed to appear before the court below and on being satisfied Complaint Case No. 441/13 be permitted to be withdrawn by the complainant.

The application stands allowed.

(Nilu Agrawal, J.)

Rajesh/-

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