

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9207 of 2014

Arising Out of PS.Case No. -29 Year- 2014 Thana -KOTWALI District- PATNA

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1. Sudhir Kumar Sinha Son Of Late Akhauri Bharat Sinha Resident Of
Abhay Bhawan, 2nd Floor, Frazer Road, P.S.- Kotwali, District- Patna
2. Shivendra Kumar Sharma Son Of Late Santoshi Sharma Resident Of
Abhay Bhawan, 2nd Floor, Frazer Road, P.S.- Kotwali, District- Patna
3. Ritesh Kumar Son Of Sri Govind Prasad Jaiswal Resident Of Abhay
Bhawan, Frazer Road, P.S.- Kotwali, District- Patna
4. Ranjan Kumar Sinha Son Fo Sri A.N. Sinha Resident Of Station Road,
United Bank Of India, Patna Main Branch, P.S.- Kotwali, District - Patna
..... Petitioners

Versus

1. The State Of Bihar.
2. Krishna Mohan Prasad Son Of Late R.N. Prasad Resident Of Mohalla -
Kajipur, Quarter No. 3, P.S.- Kadamkuan, District - Patna
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr.Adv.
Mrs. Meena Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 16-05-2016 Heard learned counsel for the parties.

2. This application has been filed seeking quashing of the
First Information Report of Kotwali P.S.Case No. 29/2014
registered for the alleged offences punishable under sections 406,
418, 420, 499 and 500 of the Indian Penal Code.

3 A complaint petition lodged by O.P.No.2 is the basis for
registration of the F.I.R. under section 156(3) of the Cr.P.C., 1973.

4. The informant is an Advocate. He has alleged in the
complaint petition that he had worked as a lawyer for the United
Bank of India in various cases. It has been alleged that the bills

submitted by him for his professional work have not been cleared and the Bank officials have stopped making payment of his admissible fees.

5. The petitioners have been made accused in the F.I.R. as they are officials of United Bank of India. Petitioner no.1 is the Chief Regional Manager, petitioner no.2 is the Chief Manager, petitioner no.3 is Law Officer and petitioner no.4 is Branch Manager of the concerned Branch of United Bank of India.

6. Mr. Krishna Prasad Singh, learned Senior counsel, appearing on behalf of the petitioners, has submitted that even if the contents of the complaint petition are taken to be true on their face value, no offence under any of the provisions of the Indian Penal Code is made out. He has also submitted that the Bank in fact has cleared all legally admissible fees against professional work done by the informant.

7. Despite service of notice, there is no representation on behalf of O.P.No.2, though a counter affidavit has been filed on his behalf.

8. I find substance in the submissions made on behalf of the petitioners that the allegations made in the complaint petition do not make out any cognizable offence punishable under various provisions of the Indian Penal Code. Institution of the F.I.R. is an

apparent abuse of the process of the Court.

9. This application is, accordingly, allowed. F.I.R. of Kotwali P.S.Case No. 29/2014 and the entire proceedings arising out of the same stand quashed.

(Chakradhari Sharan Singh, J)

Surendra/-

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