

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34525 of 2010

Arising Out of PS.Case No. -0 Year- null Thana -null District- Arraria

- =====
1. Md.Imamuddin.
 2. Md. Hamid Imam son of Md. Imamuddin
 3. Tabrej Son of Md. Ainul

.... Petitioner/s

Versus

1. State of Bihar.
2. Yasin Miyan son of late Mangalu Mian.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 09-02-2016

The petitioners seek quashing of the order dated 02.06.2010 passed by the Judicial Magistrate 1st Class, Araria in Complaint Case No. 2554C of 2009.

The case of the complainant is that the accused persons had entered into a sale agreement and also taken advance money but they did not execute the sale deeds and hence the present complaint.

It has been submitted on behalf of the petitioners that in fact there is not even a single document to show the transaction and fact is that the complainant had borrowed some money for purchasing buffalo which he did not return to the Petitioner no. 1 and when he demanded money the complainant abused him. For the said reason the petitioner no. 1 filed Informatory Petition no. 629M.P of 2008 before

the Sub-Divisional Officer, Forbesganj, Araria but subsequently on 03.06.2009 the opposite party no. 2 assaulted the Petitioner no. 1 on account of which he filed the Complaint Case No. 1565C of 2009.

Having considered the complaint petition in the interest of parties, both the complaint bearing Complaint Case No. 2554C of 2009 including the order dated 02.06.2010 passed by the Judicial Magistrate 1st Class, Araria and Complaint Case No. 1565C of 2009 which are minor in nature, is hereby set aside.

The application stands disposed of with the aforesaid observation.

(Anjana Prakash, J)

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