

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.574 of 2016

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1. Nirmal Kumar Gupta @ Nirmal Gupta @ Nirmal Prasad Gupta son of Laxami Prasad, resident of Katahalbari, Police Station L.N.M.U. Police Station (Town Darbhanga), District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Director, General of Police, Bihar, Patna.
3. The Inspector General , Darbhanga.
4. The Deputy Inspector General, Darbhanga.
5. The Senior Superintendent of Police, Darbhanga.
6. The Deputy Superintendent of Police Town Police Station, Darbhanga.
7. The Station House Officer, L.N.M.U. Police Station (Town Darbhanga) District Darbhanga.
8. Md. Umair son of Md. Suleman resident of village Sahbajpur Karhariaya, Police Station Sadar (Mabbi O.P.), District- Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Respondent/s : Mr. Manindra Kishore Singh (Sc-6)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 04-08-2016

Heard learned Counsel for the parties.

This application has been filed for seeking quashing of the First Information Report of Sadar (Mabbi) P.S. Case No. 299 of 2012, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

Allegedly, the petitioner allured the informant to give him a sum of Rs. 10, 50,000/- in the name of transferring a land, in his favour. In course of time, he refused to execute the registered sale deed. Since 2012, he is avoiding the informant and not

refunding the amount, to which, he has taken.

The allegations, contained in the First Information Report, make out offence under Section 420 of the Indian Penal Code. The First Information Report, therefore, cannot be quashed, in exercising of power under Articles 226 and 227 of the Constitution of India.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

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