

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21504 of 2010

Arising Out of Complaint Case No.922 Year- 2006 District- SASARAM (ROHTAS)

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1. Sanjay Kumar, son of Bashistha Singh, resident of village Amhara, P.S. Bihta, Distt. Patna.
 2. Shashikant Singh, son of late Ramswaroop Singh, resident of village Himmatpur, P.S. Mohamadpur, Distt. Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Ranjeet Kumar Rana @ Baban Singh, son of late Narwadeshwar Singh, resident of village Company Sarai Pooja Road, No. 1, P.S. Sasaram Town, Distt. Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.

Mr. Sunil Prasad, Adv.

For the State : Mr. Arvind Kr. Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-01-2016

Heard learned counsel for the Petitioners and the State.

The Petitioners seek quashing of the order of cognizance dated 18.11.2006 passed by the Chief Judicial Magistrate, Rohtas, in Complaint Case No. 922 of 2006 on the ground that the financial dispute had already been resolved when the Petitioners repaid the amount to the son of the Complainant.

On the aforesaid submission, notices had been issued to the Complainant but it was found that the Complainant is dead and so, his son was substituted and he was noticed. However, he has chosen not to appear before this Court.

Having considered Annexure-5 series, the application is allowed and the Proceeding including the order of cognizance dated 18.11.2006 passed by the Chief Judicial Magistrate, Rohtas, in Complaint Case No. 922 of 2006, is hereby, set aside.

(Anjana Prakash, J)

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