

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19819 of 2010

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Abhay Kumar Choubey, S/O Sri Jata Shankar Chaubey, R/O H/O Sri Uday Bhan Singh, Budha Colony, Chhakan Tola, P.S.- Budha Colony, Distt.- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Niraj Chandrayavi, S/O Nawal Kishore Prasad, R/O 404, Ashiana Plaza, Budh Marg, P.S.- Kotwali, Distt.- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Adv.

For the Opposite Party No. 2 : Mr. Uday Kumar, Adv.

Mr. Mithilesh Kr. Gupta, Adv.

For the State : Mr. C. Jawahar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-01-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 24.7.2007 passed by the Judicial Magistrate, 1st Class, Patna, in Complaint Case No. 1589(C) of 2007.

The case of the Complainant is that there was some kind of financial transaction between him and the accused No. 1 and while they were trying to sort it out, all the accused persons caught him and forcibly took the cheque along with Rs.1,800/- which was kept in his pocket.

It has been submitted on behalf of the Petitioner that he had no dispute with the Complainant and in fact, it was the

Complainant who was threatening the Petitioner on account of which he instituted Complaint Case No. 3600 of 2006.

It has further been submitted that now both the Parties do not wish to proceed in the matter.

Considering the aforesaid, the application is disposed off on the terms that further Proceedings of Complaint Case No. 1589C of 2007 including the order of cognizance dated 24.7.2007 passed by the Judicial Magistrate, 1st Class, Patna, is hereby, set aside and also further Proceedings of Complaint Case No. 3600C of 2006 pending before the Chief Judicial Magistrate, Patna, is hereby, dropped.

(Anjana Prakash, J)

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