

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34284 of 2014

Arising Out of P.S.Case No. -3719 Year- 2005 Thana -PATNA COMPLAINT CASE District-
PATNA

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M/s Kalandi Engineers Pvt. Ltd. through its representative Lalbir Singh, Site
Manager of the company Son of Sri Jageshwar Singh Resident of Village - Ghataro
Tola, P.S. - Kartahan, Distt. - Vaishali.

.... Petitioner

Versus

1. The State of Bihar
2. Smt. Sudamia Devi Wife of Late Deo Narain Roy, Resident of Near Devi
Asthan, Punaichak, P.S. - Shastrinagar, Distt. - Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur, Advocate

For the Opposite Parties : Mr. Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 29-08-2017

This criminal miscellenaous application under Section 482
of the Cr.P.C. has been filed to quash the Complaint Case No.3719(C)
of 2005 pending in the Court of Judicial Magistrate, Ist Class, Patna
or in the alternative to stay the proceeding under Section 210 of the
Code of Criminal Procedure.

2. Heard and perused the record.

3. It has been submitted that for the one and the same
occurrence two cases is pending before the court below. The Opposite
Party No.2 filed a Complaint Case No.3719(C) of 2005 and further
lodged Gardanibagh (Shastrinagar) P.S.Case No.781 of 2005 against
Shailesh Kumar, Managing Director of M/S Kalandi Engineers Pvt.



Limited. It has been submitted that the said Shailesh Kumar has been killed. The present criminal miscellaneous application has been filed by one Lalbriksh Singh claiming to be the side manager of the company. Both the cases pending before the court below is against Shailesh Kumar and the matter is pending for death report of said accused. The present petitioner has not filed any paper to show his locus standi to pray for quashing the complaint petition. The case is pending for death report.

4. In the facts and circumstances of the case, this criminal miscellaneous application appears to be devoid of merit and is accordingly, dismissed. The court below however is directed to pass necessary order in view of provision Section 210 of the Cr.P.C .

(Sanjay Kumar, J)

B.Kr./-

AFR/NAFR	NAFR
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