

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15628 of 2014

Arising Out of PS. Case No.-8390 Year-2013 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Kamla Devi Wife Of Late Umesh Prasad Singh Resident Of Village Mirzapur
Bandwar, Police Station- Town, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manoj Kumar Son Of Shyam Prakash Singh Resident Of Village Pokharia,
P.S- Town, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur

For the Opposite Party/s : Mr. INDRA KR.SINGH(APP)

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
C.A.V JUDGMENT

Date : 22-09-2017

Heard learned counsels for the parties.

Petitioner, by means of this application under section 482 of the Code of Criminal Procedure, has invoked the inherent jurisdiction of this Court with prayer to quash the Complaint Case No. 8390 (C) of 2013, pending in the Court of Shri R.R. Raman, Judicial Magistrate, 1st Class, Begusarai instituted under sections 420, 467, 468, 461, 406, 323, 506 of the Indian Penal Code.

The contention of the petitioners is that no offense against the petitioner is disclosed and the present prosecution has been instituted with *mala fide* intention for the purpose of harassment. It is further submitted that the matter involved is



purely civil in nature and no criminal liability is made out. The present case has been lodged only to put undue pressure. If aggrieved, opposite party no. 2 could have filed suit for specific performance of contract to enforce the sale agreement.

Learned Addl. P.P. appearing for the State opposes the prayer.

Learned counsel appearing for the opposite party no. 2 submits that charge has been framed in the case, and as such, this application, as on today, has become infructuous.

Considering the fact that charge has been framed in the case, this Court is not inclined to entertain this application any further.

The application is, accordingly, dismissed as having become infructuous.

(Arvind Srivastava, J)

mcv/-

AFR/NAFR	NAFR
CAV DATE	05.07.2017
Uploading Date	22.09.2017
Transmission Date	22.09.2017

