

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49574 of 2014

Arising Out of PS.Case No. -287 Year- 2013 Thana -BUDDHACOLONY District- PATNA

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1. Medasetti Srinivasaiah, Son of Late Medasetti Nariyappa, Resident of 1128-A, Coard, 15, Hospet, District - Bellary, Karnataka
 2. B. Ramakrishna Shetty, Son of Thimappa Shetty, Resident of No. 35, Cottonpet Main Road commencing at Santala Silks, opposite KEB Office, Bangalore - 56003
 3. Mr. Nagaraju G., Son of T. Gopalkrisniah, Resident of 628, 1B Main Road, 7th Block West, Jayanagar, Bangalore, Karnataka, Pin- 560082
 4. Mr. B. Ramaswamy, Son of Belerangappa, Resident of Railway Gollahally, Kasaba Hobli, Nelamangala Taluk Bangalore Rural District, Karanataka, Pin- 562123

.... Petitioner/s

Versus

1. The State of Bihar
2. Lakshmi Cement and Ceramics Industries Limited through its employee Mr. Jitendra Kumar having its registered office at C/o Mr. Sanjeev Ranjan, Shristi, Road No.23, Shri Krishna Nagar, Patna, Bihar-800001.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party no.1 : Mr. Anuj Kumar Srivastava (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 08-11-2017

Heard counsel for the parties.

The present application has been filed for quashing of the First Information Report bearing Budha Colony P.S. Case No.287 of 2013 dated 31.12.2013 registered under Sections 406, 420, 467, 468 and 34 of the Indian Penal Code.

On the last date, when the matter was taken up, learned counsel for the petitioners informed this Court that during the pendency of the present application a settlement has been arrived at between the petitioners and the informant-opposite party no.2. It was also informed that the police has not submitted



charge-sheet in the matter till date and the informant-opposite party no.2 is ready to cooperate by putting appearance before this Court through his advocate so that the matter may finally be considered after hearing both the parties.

Today, Mr. Ajay Kumar, learned advocate, has filed his vakalatnama on behalf of the informant-opposite party no.2. A supplementary affidavit enclosing memorandum of agreement/settlement executed between the parties has also been brought on record.

Learned counsel for the petitioners, at this stage, informs this Court that in fact in the present case charge-sheet has already been submitted and cognizance has been taken by the learned Judicial Magistrate-1st Class for the offences alleged under the aforesaid provisions. Since the order taking cognizance is not under challenge in the present proceeding, learned counsel prays to withdraw this application with a liberty to file a fresh application for setting aside the order taking cognizance in view of the settlement as has been claimed by the parties.

Liberty is granted.

The application is dismissed as withdrawn.

Arvind/-

(Rajeev Ranjan Prasad, J)

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