

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46320 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- SAMASTIPUR

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1. Seraj Alam @ Seharaj Alam @ Md. Seharaj Alam Son Of Md. Shamim Resident Of Village- Dih Sarsauna, P.S.- National Highway Bangra, District- Samastipur.
 2. Meraj Alam @ Meraj Ahmad Son Of Md. Shamim Resident Of Village- Dih Sarsauna, P.S.- National Highway Bangra, District- Samastipur.

.... Petitioners

Versus

1. The State Of Bihar
2. Nasra Khatoon W/O Md. Mobin Resident Of Village- Sarsaura, P.S.- National Highway Bangra, District- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the State : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 19-07-2017

Heard learned counsel for the petitioners
and learned Additional Public Prosecutor for the State.
No one appears on behalf of the opposite party no. 2.

The petitioners, in the present case, are
seeking quashing of the order taking cognizance dated
12.02.2013, passed by learned Judicial Magistrate, 1st
Class, Samastipur in Complaint Case No. 1579/2012,
in which petitioners have been summoned under
Sections 147, 323, 341, 354, 448 of the Indian Penal
Code.

Learned counsel for the petitioners
submits that, in fact, the complainant and the
petitioners are from the same family and pursuant to



the order dated 31.07.2014, passed by this Hon'ble Court, a mediation took place in the mediation centre and a decision was taken to settle their disputes amicably. A report in this regard dated 10.11.2014 is available on the record of this court.

Learned counsel for the petitioners further submits that in view of the settlement the present application may be allowed and the order taking cognizance be quashed.

Since the opposite party no. 2 is not represented, instead of allowing the present application, this court is of the considered opinion that the petitioners may file an application for compounding of the offences alleged and in view of the settlement between the parties, the court below shall consider the said application and shall pass appropriate order in accordance with law.

With the above observation and direction, this application stands disposed of.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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