

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35076 of 2011

Arising Out of Complaint Case No. -140(c) Year-2011 District- PATNA

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Tata Motors Finance Limited, Adharshila Complex, Gandhi Maidan, Patna & Ground Floor, K.D. Vihar, Infront of Luxmi Nursing Home, East Boring Canal Road, Patna, through authorized representative, Mr. Nishant Kumar, S/o Dr. S.S. Prasad, posted as Legal Co-ordinator, TATA Motors Finance Limited, 601-602, 6th Floor, Kashi Place, Dak Bunglow Chowk, P.S.-Kotwali, Town & District-Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Rakesh Kumar Miloo, S/o Sri Jang Bahadur Vidhyarthi, resident of Mohalla-Pitambara Mandir Colony, P.S.-Alamgaunj Town & District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Sinha, Advocate
Mr. Dayanand Singh, Advocate
For the Opposite Party no.2 : Mr. Rakesh Ranjan, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 23-11-2017

Heard Mr. Amaresh Kumar Sinha, learned counsel
for the petitioner, Mr. Rakesh Ranjan, learned counsel appearing
for the complainant-opposite party no.2

2. This application under Section 482 of the Code
of Criminal Procedure (for short 'Cr. P.C.') has been filed for
setting aside the order dated 12.03.2010 passed by the learned
Judicial Magistrate-1st Class, Patna in Complaint Case No.140(C)



of 2010 whereby the learned Judicial Magistrate has summoned the petitioner and seven others to face trial for the offences punishable under Sections 420 and 385 of the Indian Penal Code.

3. At the outset, it is informed to the Court that the Managing Director, Tata Motors Limited, who was also summoned along with the petitioner in the present case vide impugned order dated 12.03.2010 had preferred another application under Section 482 of the Cr. P.C. before this Court vide Cr. Misc. No. 28308 of 2014 for setting aside the aforesaid summoning order and a Bench of this Court vide order dated 06.09.2017 allowed the prayer and the order dated 12.03.2010 passed by the learned Judicial Magistrate-1st Class, Patna in Complaint Case No. 140(C) of 2010 has already been quashed.

4. In that view of the matter, since the instant application has become infructuous, it is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.11.2017
Transmission Date	24.11.2017

