

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24562 of 2015

Arising Out of PS.Case No. -782 Year- 2014 Thana -KOTWALI District- PATNA

=====

1. Raunaq Singh Kandey Son of Gurudayal Singh Kandey Resident of 6 Ring Road, Pratap Nagar, P.S. - Pratap Nagar, Nagpur, Maharashtra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Amod Kumar Son of Shri Akhilesh Sharma Resident of Village + P.O. - Nadwa, P.S. - Danarua, District - Patna, at present address Hotel Gautam Boring Canal Road, Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv
For the Opposite Party/s : Mr. Ajit Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-04-2017

Heard learned counsel for the parties.

The present application has been filed for quashing the FIR No. 782 of 2014 registered for the offences punishable under Sections 406, 420, 506 of the Indian Penal Code and Section 138 of the N.I. Act.

It is submitted by learned counsel for the petitioner that it is simple case that even if the accusation only for the offence punishable under Section 138 of the N.I. Act is made out, moreover, the petitioner's side has filed Pratap Nagar Nagpur, N.C.R. No. 303 of 2014 dated 14.04.2014 levelling accusation under Section 507 of the Indian Penal Code against the informant



in the present case. It is well settled law that the prosecution can be quashed, if the accusation does not constitute any offence or prosecution is barred.

Moreover the FIR was registered on 24.12.2014, but there is nothing on record to suggest the present stage of the case.

That being so, this application is disposed of with a liberty to the petitioner to raise all the contentions at the appropriate stage of the proceeding in accordance with law.

(Dinesh Kumar Singh, J)

Ranjan/-

U			
---	--	--	--

