

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30984 of 2014

Arising Out of PS. Case No.-2226 Year-2012 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Anil Kumar Son of Late Chhathu Choudhary Director of Patliputra Builders Pvt. Ltd. resident of Flat No.-301, Maharaja Kameshwar Complex Frazer Road, P.S.- Kotwali, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar Son of Late Chandra Prakash Singh resident of village- Musadpur, P.S.- Barauni, District- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra
For the Opposite Party/s : Mr. NAJIR ANSARI (APP)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL JUDGMENT

Date : 05-02-2018

Heard learned counsel for the parties.

2. The petitioner is accused in Complaint Case No.2226 (C) of 2012 in which cognizance has been taken under Sections 406, 420, and 506/34 of the Indian Penal Code by learned Chief Judicial Magistrate, Begusarai.

3. Allegation in brief is that the complainant, the prospective purchaser of the flat from the accused, entered into a written agreement for purchasing a flat in total consideration amount of Rs.23,01,000/- and in advance Rs.4,60,200/- was given to the builder, the accused, but neither the flat was handed over nor the advance money was returned back. Today a compromise petition



has been filed and learned counsel for the complainant, opposite party no.2, in the present compromise petition admits that the complainant has received three drafts of total amount of Rs.4,60,200/- and amicably compromised the matter with accused.

4. Having considered the said compromise between both sides, the impugned order taking cognizance in the matter dated 27.11.2013, passed by learned Chief Judicial Magistrate, Begusarai in Complaint Case No.2226 (C) of 2012 is hereby quashed along with the subsequent criminal proceeding.

5. The quashing application stands allowed.

(Arun Kumar, J)

S.KUMAR/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2018
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