

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19286 of 2015

Arising Out of PS.Case No. -91 Year- 2013 Thana -JHANJHARPUR District- MADHUBANI

=====

Suresh Mandal, Son of Baidhnath Mandal, resident of village - Bistaul Nawari, P.S. - Araria Sangram, District - Madhubani, presently residing at House no. 365, Block F-2, Sultanpuri, Delhi - 86.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Rani Mandal @ Ranju, wife of Suresh Mandal, Daughter of Yogendra Mandal, resident of Village - Araria Sangram, P.S. - Jhanjharpur (Araria Sangram O.P.), Araria, District - Madhubani, Presently residing at House no 365, F-2, Samy Bazar, Sultanpuri, New Delhi - 110086.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate.

For the opposite party No.2 : Mr. Gagan deo Yadav, Advocate.

For the State : Mr. Satendra Narayan Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 08-05-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the First Information Report of Jhanjharpur P.S. Case No. 91 of 2013 arising out of C.R. No. 445 of 2013 corresponding to G.R. No. 897 of 2013 pending in the court of learned Additional Chief Judicial Magistrate, Jhanjharpur, Distt. Madhubani.

2. Heard learned counsel for the petitioner, learned counsel for the opposite Party No. 2 and State.

3. Report was called for from the court below which has been received. From the report it appears that case is pending for



prosecution evidence.

4. Learned counsel for the petitioner has submitted that both parties have entered into compromise before the Mediation Centre of District Court at Delhi. The agreement entered into between the parties has been enclosed as Annexure-2. It has further been submitted that petitioner has already paid amount of Rs.7,15,000/- to the complainant.

5. Learned counsel for the complainant has appeared and submitted that he has no knowledge about the encashment of last cheque of Rs.1,00,000/- which was handed over by the petitioner to the informant in terms of the order dated 23.03.2018. It has further been submitted that a compromise petition has also been filed in the court below.

6. In such circumstances, since both parties have entered into mutual agreement before the Mediation Centre New Delhi as well as in the District Court, Delhi, and the case is pending for prosecution evidence, this application is disposed off with direction to the petitioner to appear before the court below and make prayer for final disposal of the case in terms of compromise arrived at between the parties. In the event, the entire money is paid by the petitioner to the complainant and petitioner produce valid receipts showing payment of entire money in the court below, the court below



will pass final order on the basis of compromise entered into between the parties before Mediation Centre, New Delhi as well as in the District Court, Delhi, within a period of three months from the date of receipt of this order.

7. This Criminal Miscellaneous application is accordingly disposed off.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	14/05/2018
Transmission Date	14/05/2018

