

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18777 of 2015

Arising Out of PS. Case No.-150 Year-2011 Thana- GOH District- Aurangabad

Surendra Prasad Sinha Son of Late Sidheshvari Prasad, Resident of Village -
Mai, P.S.- Rafiganj, District - Aurangabad Bihar.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ram Narayan Prasad Gupta, Son of not known. Resident of village - Varun
Bazar, P.S.- Varun, District - Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 15-07-2019

Heard learned counsel for the parties.

2. This is an application under Section 482 Cr.P.C. for quashment of order dated 17.11.2014 passed in Goh P.S.Case No.150 of 2011 whereby learned Judicial Magistrate 1st Class, Daudnagar has taken cognizance against the petitioner for offence under Section 409 I.P.C.

3. In a short first information report, allegation against the petitioner is that he did not submit the service book of one Ram Narayan Gupta posted at Primary Health Centre, Goh.

4. Submission is that the parties have entered into a compromise mainly for the reason that service book was traceless and not deliberately misplaced and the same was subsequently



traced out. The written compromise petition filed before the authority concerned as well as before the learned court below are at Annexures-2 and 3.

5. Considering the facts aforesaid, the impugned order and subsequent proceeding against the petitioner stands quashed and this application stands allowed for simple reason that pendency of the proceeding amounts to abuse of the process of the court.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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