

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79991 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- TANKUPPA District- Gaya

PRABHU DAYAL Son of Bhagirath Pandit Resident of Fatehpur, P.S.-
Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The instant petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short ‘the Code’), has been preferred for quashing the F.I.R. vide Tankupa P.S. Case No. 26 of 2019, registered for the offences under Sections 420, 406 and 409/34 of the Indian Penal Code against the petitioner and other accused persons.

Petitioner’s counsel submits that F.I.R. is alleging non-submission of certain files, when the petitioner was in service in the year 2005-06. The petitioner was retired thereafter in the year 2008 and that there is a ‘No objection Certificate’ dated 06. 03. 2009, issued by his successor in office



that there is no dues against the petitioner.

Learned APP for the State submits that the application seeks quashing of the F.I.R.. At present, the investigation is going on and these are issues, which the Investigating Agency would surely consider during the course of the investigation. No prejudice is caused to the petitioner, at the moment, as the cognizance has also not been taken till date.

Considering the aforesaid submissions, the application stands dismissed.

(Madhuresh Prasad, J)

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