

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No. 206 of 2018

Arising Out of PS Case No.-80 Year-2015 Thana- SULTANGANJ District- Patna

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1. Amarnath Singh, Son of Late Kapildeo Singh, Resident of Mohalla- Choudhary Tola, P.S.- Sultanganj, District- Patna.
 2. Malay Kumar Choudhary, Son of Birendra Prasad Singh Choudhary, Resident of Mohalla- Choudhary Tola, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Jitendra Kumar, Son of Late Chandradeep Sharma, Resident of Mohalla- Tekari road, Chaudhary tola, P.S. Sultanganj, District-Patna.

... .. Opposite Party/s

with
CRIMINAL REVISION No. 1278 of 2018

Arising Out of PS. Case No.-206 Year-2014 Thana- SULTANGANJ District- Patna

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1. Jitendra Kumar @ Jitendra Sharma, Son of Late Chandradeep Sharma.
 2. Krishnandra @ Rajababu, Son of Late Jagdish Prasad Sinha.
 3. Anil Kumar, Son of Late Narmdeshwar Singh,
All Resident of Mohalla- Tekari Road, Choudhary Tola, P.S. Sultanganj,
District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Malay Kumar Chaudhary, son of Birendra Prasad Singh, Resident of Mohalla- Choudhary Tola, P.S. Sultanganj, District-Patna.

... .. Opposite Party/s

Appearance :

(In CRIMINAL REVISION No. 206 of 2018)

For the Petitioner/s : Mr. Ajay Kumar Thakur and
Mr. Nilesh Kumar, Advocates

For the State : Mr. Jharkhandi Upadhyay, APP

For the Opposite party/s : Mr. Rudradeo, Advocate

(In CRIMINAL REVISION No. 1278 of 2018)

For the Petitioner/s : Mr. Rudra Deo, Advocate



For the State : Mr. Jharkhandi Upadhyay, APP
For the Opposite Party/s : Mr. Ajay Kumar Thakur and
Mr. Nilesh Kumar, Advocates

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 13-09-2019

Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioners in Cr. Revision No. 206 of 2018 and Mr. Rudra Deo, learned counsel for the petitioners in Cr. Revision No. 1278 of 2018 and learned APP for the State.

2. In Cr. Revision No. 206 of 2018, the petitioners are accused in Sultanganj PS Case No. 80 of 2015, filed by the opposite party no. 2 i.e., petitioner no. 1 of Cr. Revision No. 1278 of 2018, whereas the petitioners in Cr. Revision No. 1278 of 2018, are accused in Sultanganj PS Case No. 206 of 2014 of which petitioner no. 2 of Cr. Revision No. 206 of 2018 is the informant.

3. Learned counsel for the petitioners submitted that both the parties are neighbours and there has been inimical terms between them due to petty dispute and initially one side had filed a criminal case in the year 2014 and the other side has also filed a case in the year 2015 and, basically the same also do not disclose any offence which goes against public interest or related to moral turpitude and is confined between the parties concerned.



4. At this juncture, learned counsel appearing for the parties, in both the cases, submitted that the petitioners being educated have realized that such dispute need to be finally put to rest and normalcy restored.

5. It was submitted that the parties do not wish to pursue these matters.

6. Having regard to the aforesaid, the Court would facilitate such matters attaining finality once and for all so that in future also there can be peace in the area. At this juncture, the Court would observe that in matters which do not involve public policy or general public interest and is not related to any allegation relating to moral turpitude, once the parties have agreed to settle the dispute, the Court would intervene.

7. In view thereof, the applications are allowed.

8. The order dated 08.6.2017 passed by the Additional Chief Judicial Magistrate, VI, Patna City in G R No. 1727 of 2015, arising out of Sultanganj PS Case No. 80 of 2015, by which cognizance has been taken against the petitioners which is impugned in Cr. Revision No. 206 of 2018, stands set aside.

9. Similarly, the order dated 16.09.2017, passed by the Additional Chief Judicial Magistrate, V, Patna City in Sultanganj PS Case No. 206 of 2014, GR No. 5043 of 2014, by which



cognizance has been taken against the petitioners of Cr. Revision
No. 1278 of 2018, also stands set aside.

(Ahsanuddin Amanullah, J.)

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