

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35701 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. VINOD PRASAD SHAHI Son of Late Nagendra Pd. Shahi
 2. Ajanta Shahi Wife of Vinod Prasad Shahi
 3. Dr. Rashmi @ Rashmi Wife of Vinayak Goutam
All Resident of Mohalla- Usha Hospital, Juran Chapra, Road No.-5, P.S.-
Brahmpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dhananjay son of -Shri M.K. Rai, Resident of Mohalla- Rambag Road,
Khanna Compound P.S.- Mithanpura, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Mohan Jha, Adv
For the Opposite Party/s	:	Mr.Pranav Kumar, APP
For Informant	:	Mr.Samarendra Kumar Jha, Adv

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-02-2020 Heard the parties.

2. The petitioners have challenged in this application under Section 482 Cr.P.C.the order of cognizance dated 13.03.2018 passed in Complaint Case No.152 of 2018 by learned Judicial Magistrate 1st Class, Muzaffarpur whereby the learned Magistrate took cognizance for offence under Sections 406 and 420 as well as 120B of the I.P.C.

3. By a supplementary affidavit, a compromise petition has been brought on the record which was filed in writing before the learned court below. Both the offences under



Sections 406 and 420 I.P.C. are compoundable. Therefore, criminal conspiracy to commit compoundable offence would also be compoundable.

4. In the result, continuance of criminal prosecution shall amount to abuse of the process of the Court after compromise. Accordingly, the cognizance order as well as entire subsequent proceeding stands hereby quashed and this application is allowed.

(Birendra Kumar, J)

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