

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 4898 of 2013

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1. Alok Kumar Sinha, Son of Late Ram Kishore Prasad,
 2. Nilima Sinha, Wife of Sri Alok Kumar Sinha, both presently residing at Road No. 23, Plot No. 175, Sri Krishna Nagar, P.S. Buddha Colony, District-Patna.
 3. Bhola Kumar, Son of Sri Siya Sharan Prasad, resident of Mohalla-New Bagrahpur, P.S.-Jakkanpur, District-Patna.
 4. Rajiv Nayan Singh, Son of Late Rameshwar Singh, resident of Village-Pawa, P.S.-Deep Nagar, District-Nalanda.

.....Petitioner/s

Versus

1. The State of Bihar
2. Atul Kumar Sinha, Son of Late Ram Kishore Prasad, resident of Road No. 23, Plot No. 175, Sri Krishna Nagar, P.S.-Buddha Colony, District-Patna.

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ram Naresh Ray, Adv.

For the State : Mr. Ram Priya Sharan Singh, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

07/- 21.08.2020

Heard Mr. Ram Naresh Ray, learned counsel for the petitioners and Mr. Ram Priya Sharan Singh, learned APP for the State.



The present petition has been filed for quashing of the First Information Report of Buddha Colony P.S. Case No. 162 of 2012, dated 13.11.2012, which has been registered for the offences under Sections 467, 468, 420, 471, 472 and 406 of the Indian Penal Code.

It appears from the order-sheet that notices were issued to opposite party No. 2 and on 07.01.2014, a Bench of this Court had directed for this case to be placed after the disposal of Test Case No. 4 of 2011, which, at that time, was pending before this Court.

Learned counsel for the petitioners has informed this Court today that the present FIR was lodged by opposite party No. 2 against the petitioners who are his relatives. Over a period of time, there has been a settlement between the parties.

If that be so, then there would be no necessity of continuing with this petition. All that the petitioners would be required to do is to inform the Investigating Officer of this case that the case primarily arises out of a civil dispute between the family members and there has been a settlement between the



parties. Once the Investigating Officer finds that the dispute does not concern the public at large and that it is *inter se* the relatives coming from the same family tree which stands resolved, he shall take a decision with respect to closing the investigation. This exercise shall be done within a period of four weeks from the date of the petitioners intimating the Investigating Officer that the entire dispute has been resolved.

With the aforesaid observation/direction, the application stands disposed of.

(Ashutosh Kumar, J.)

Praveen-II/-

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