

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54636 of 2015

Arising Out of PS. Case No.-354 Year-2015 Thana- LAKHISARAI District- Lakhisarai

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BISHALAKHI GHOSH @ BISHALAKHI, D/o Biswaranjan Roye resident
of Sector D-1, D-1-1040 Basant Kunj, P.S. Basant Kunj, New Delhi - 110070.

... .. Petitioner/s

Versus

1. State of Bihar
2. Umapati Poddar, Son of Late Baijnath Poddar resident of Baijnath Bhawan
Kawaiya Road, Naya Bazar, P.S. and District - Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.U.L.Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 18-12-2020 Heard Mr. Jai Prakash Singh, learned counsel

for the petitioner; Mr. Saket Tiwary, learned counsel for
complainant / Opposite Party No. 2, who had been
noticed by this Court; and Mr. Umesh Lal Verma, learned
APP for the State.

The learned counsel for the petitioner has
submitted that whatever amount was due to Opposite



Party No. 2 has been returned to him and now there is no reason to continue with the prosecution.

Considering this aspect of the matter, a Bench of this Court had stayed the further proceedings in connection with Lakhisarai (Kawaiya) P. S. Case No. 354 of 2015, arising out of Complaint Case No. 222-C of 2015, *vide* order dated 12.05.2016.

Mr. Saket Tiwary, learned counsel appearing on behalf of Opposite Party No. 2 has submitted that the grievance of his client has been redressed but he wants his interest to be protected as the payment of the due amount has been made by the petitioner only under protest.

The learned counsel for the petitioner submits that the payment has been made for liquidating the debt as also for ending the litigation. No rights or contentions later would be raised by the petitioner if the entire prosecution case is quashed.

Considering the afore-stated facts, the F.I.R.



bearing Lakhisarai (Kawaiya) P. S. Case No. 354 of 2015, arising out of Complaint Case No. 222-C of 2015, is hereby quashed.

The application stands allowed.

(Ashutosh Kumar, J)

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