

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28128 of 2016

Arising Out of PS. Case No.-50 Year-2014 Thana- BAGENGOLA District- Buxar

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1. Md. Murtaza
 2. Md. Jojan,
 3. Md. Wazir
All sons of late Md. Habil.
 4. Jaibun Nisha, wife of Md. Murtza.
All resident of Village- Guri, P.S Krishna Garh, District- Bhojpur, at present
residing at Sector 3B, Quarter No. 450, Bokaro Steel City, Mohalla- Millat
Nagar, Makdumpur, P.S.- Balidih, District- Bokaro.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33643 of 2016

Arising Out of PS. Case No.-50 Year-2014 Thana- BAGENGOLA District- Buxar

Md. Jamil, son of Md. Murtza, resident of Village- Guri, P.S.- Krishna Garh,
District- Bhojpur, at Present residing at Sector 'B', Quarter No. 450, Bokaro
Steel City, Mohalla- Millatnagar Makdumpur, P.S.- Balidih, District- Bokaro

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In both the cases)

For the Petitioner/s

: Mr. Upendra Prasad, Adv.

Ms. Veena Kumari Jaiswal, Adv.

For the Complainant/Informant

: Mr. Shankar Dayal Singh, Adv.

For the State

: Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER



13 25-03-2021 Heard Mr. Upendra Prasad, learned Advocate for the petitioners and Mr. Shankar Dayal Singh, learned counsel for the complainant/informant. The State is represented by Dilip Kumar No. 1, learned APP.

These two applications were initially filed for quashing of the F.I.R. of Bagengola P.S. Case No. 50 of 2014, dated 29.07.2014, arising out of Complaint Case No. 657(C) of 2014, instituted for the offences under Sections 406 and 420/34 of the Indian Penal Code.

During the pendency of these applications, there was a settlement of dispute between the petitioners and the complainant/informant.

A supplementary affidavit has been filed on 04.03.2021 intimating this Court that by virtue of the settlement between the parties, the dispute has completely been resolved and the complainant/informant does not wish to prosecute the petitioners any further.

Pursuant to the aforesaid settlement, the petitioners have already preferred an application before the Court of Judicial Magistrate-Ist Class, Bokaro in Complaint



Case No. 755 of 2015 for the withdrawal of complaint case against the accused/Rishideo Mishra (complainant/informant) only.

Considering the fact that the dispute is purely in the nature of private wrong which has now been resolved and that the complainant/informant does not wish to prosecute the petitioners any further, this Court is inclined to accept an act upon the factum of such settlement.

For the aforesaid reasons, the subject F.I.R., viz., Bagengola P.S. Case No. 50 of 2014, arising out of Complaint Case No. 657(C) of 2014, is quashed. All proceedings with respect to such F.I.R. also stand quashed.

Both the applications are allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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