

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38137 of 2017

Arising Out of PS. Case No.-1006 Year-2016 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Sudhansu Mohan and Ors

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dayanand Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the O.P. No. 2	:	Mr. Sandip Kumar Gautam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 24-03-2021 Heard Mr. Dayanand Singh, learned Advocate for the petitioners and Mr. Sandip Kumar Gautam for the complainant/opposite party no. 2. The State is represented by Mr. Md. Aslam Ansari, learned APP.

This is an application seeking quashing of the order of cognizance dated 10.02.2017 passed by the learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Complaint Case No. 1006(c) of 2016 whereby cognizance has been taken under Section 406 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the dispute with the opposite party no. 2 has been compounded and the opposite party no. 2 does not wish to prosecute the petitioners any further.

It has also been submitted that the nature of



accusation against the petitioners does not reflect that it is an offence against society but it is a private offence and that also arising out of a civil dispute.

Mr. Sandip Kumar Gautam, learned Advocate for the complainant/opposite party no. 2 affirms the factum of settlement between the petitioner and the complainant/opposite party no. 2.

Regard being had to aforesaid factum of settlement, the order of cognizance dated 10.02.2017 passed by the learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Complaint Case No. 1006(c) of 2016 is set aside.

All further proceedings arising out of the aforesaid case are also quashed.

(Ashutosh Kumar, J)

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