

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34668 of 2021

Arising Out of PS. Case No.-101 Year-2018 Thana- PIPRA District- Patna

Malteshwar Singh @ Mallu Singh (Male), aged about 61 years, Son of Late Bانشi Singh Resident of Village- Abdalpur, Pipra, P.S.- Pipra, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Sanjay Prasad (Male) aged about 50 years, Son of Dhanni Lal Resident of New Bypass, Chamanchak, P.S.- Ram Krishna Nagar, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Munna Kumar, Adv.
For the Opposite Parties	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

This application, under Section 482 of the Code of Criminal Procedure, has been filed for quashing the order dated 04.12.2019 passed by the Judicial Magistrate, 1st Class, Masaurhi, Patna in Pipra P. S. Case No. 101 of 2018, G.R .No. 1447 of 2018 by which learned Magistrate has framed charge against the petitioner under Section(s) 406, 420 and 506 of the



Indian Penal Code.

It is submitted by the petitioner's counsel that the informant has also resorted to civil proceedings for recovery of the money. Making such submission, it is stated that the informant should not have resorted to both civil as well as criminal proceedings in respect of the same transaction/allegation. Such submission is bereft of any legal substance. It is well- settled that a party is entitled to invoke all remedies available to him in accordance with law, both civil as well as criminal.

The petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

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