

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11559 of 2021

Arising Out of PS. Case No.-1946 Year-2017 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. SHOBHA DEVI Wife of Jaynarayan Paswan Resident of Village-
Mirjachouri, Haripurjadi, P.S.- Banmankhi, District- Purnea.
 2. Jaynarayan Paswan Son of Late Basudev Paswan @ Baldeo Paswan
Resident of Village- Mirjachouri, Haripurjadi, P.S.- Banmankhi, District-
Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Badami Devi Wife of Late Dev Narayan Paswan Resident of Village-
Mirjachouri, P.S.- Banmankhi, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivnandan Sah, Adv.
For the Opposite Party/s	:	Mr.A.G.
For the Informant	:	Md. Fazle Karim, Adv.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 22-09-2022 This application is filed for quashing of the order
dated 23.03.2020 passed by learned C.J.M., Purnea whereby and
whereunder cognizance has been taken under Section 420, 467,
468, 471 and 120 (B) of the Indian Penal Code in Complaint
Case No. 1946 of 2017.

The allegation as per complaint petition is that the co-
accused who is sister of the complainant also sold share of the
complainant to the petitioner. The complainant obtained a
certified copy of the sale deed. In that certified copy the
description of the land of the complainant was not mentioned.



After committing forgery the page of the sale deed was changed and the share of the complainant was also shown in that sale deed by making forgery.

Learned counsel for the petitioner has submitted that the mutation was done by the DCLR in favour of the petitioners.

On the other hand, the learned counsel for the complainant has submitted that there is specific allegation of forgery.

The certified copy taken by the complainant shows itself that the pages were changed and by committing forgery in those papers the share of the complainant was also shown as part of the sale deed. Though the complaint petition was initially dismissed but the revisional authority after setting aside the order of the learned Magistrate dismissing the complaint allowed the revision mentioning that the Judicial Magistrate has not given attention on the documentary evidence filed by the complainant. In my view, it is not a fit case for quashing of the order of cognizance. Accordingly, it is dismissed.

(Nawneet Kumar Pandey, J)

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