

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4226 of 2023

Arising Out of PS. Case No.-121 Year-2021 Thana- BHAGWANPUR District- Vaishali

PARITOSH KUMAR KIRAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 07-04-2023

Heard the parties.

This is an application for quashing of order taking cognizance dated 22.03.2022 in Bhagwanpur P.S. Case No. 121 of 2021 passed by learned Court of A.C.J.M. 1st Hajipur (Vaishali) by which the learned Court has taken cognizance under Sections 120(B), 420, 406, 504 and 506 of the Indian Penal Code .

That the prosecution case in brief is that institute in the name of Colors Academy of Art and Culture Pvt. Ltd was being run by the petitioner. On request of informant, new project was decided to be established under partnership of the said Academy and informant on the basis of net profit and loss sharing 40% and agreement to effect was executed between the informant and petitioner. He further submitted that as per the



agreement, petitioner invested Rs. 5,00,000/- in the project, which was to be started and informant was to hold post as project manager. Later on, it was both parties decided to close the said project and Rs. 3,75,000/- was to be paid to the informant by the said academy.

No ground for interference at the stage of cognizance has been made out by the petitioner. From reading the F.I.R. and impugned order, it appears that the petitioner has cheated the informant.

Accordingly, this application is dismissed with a direction to the Court below to proceed with the trial and expedite the trial.

(Sandeep Kumar, J)

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