

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16132 of 2023

Arising Out of PS. Case No.-6649 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Avaneesh Yadav @ Avnish Yadav Son Of Sri Jiledar Singh Proprietor Of
Avaneesh Enterprises, R/O 3rd K, 035/3a, Nehru Nagar, P.S.- Sihani Gate,
Janpat, Gajiyabad (U.P.)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manoj Kumar @ Manoj Yadav Son Of Sri Dev Nath Yadav Permanent R/O
Village- Shishwa Barhi, P.S.- Pulparash, District- Madhubani (BIHAR)
847409 At Present Quarter No.40, Special Family Type-Ii, Road No.6,
Mohalla R-Block, P.S.- Sachivalaya, District- Patna 800001, At Present
Manoj Kumar, C/O Sri Anjali Kumar, House No.41, Road No.10 Near At
Premkunj, Apartment Indrapuri, P.S.- Patliputra, District- Patna 800024

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 2 08-08-2023 1. This is an application for quashing of the order
dated 29.07.2022 passed by learned J.M. 1st Class, Patna Sadar
in connection with Complaint Case No. 6649(C) of 2022 and
proceeding thereafter in connection with Complaint Case No.
6649/2022 for the offence under Sections 420 I.P.C. pending
before the court of the Learned J.M. 1st Class, Patna.
2. Learned counsel for the petitioner submits that
the matter has been settled between the parties at the stage of
bail and the continuance of the further proceeding is nothing but
an abuse of the process of the Court.



3. No compromise petition has been produced before this Court by the learned counsel for the petitioner. Learned counsel for the petitioner has made his submission only on the basis of bail application filed in the Court of learned Magistrate.

4. This application is disposed of with liberty to the petitioner to raise the issue of compromise in the Court below and if the compromise is accepted by the O.P. No. 2 then the proceeding will be dropped without any further delay.

5. If the *factum* of compromise is denied by the O.P. No.2 then the Court below will pass a reasoned order in accordance with law and the entire exercise must be done within one month of receipt of a copy of this order.

6. This application stands disposed of.

(Sandeep Kumar, J)

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