

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.145 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Mukesh Kumar Son of Sri Motilal Gupta Proprietor GITA Vihar Developers,
a proprietorship firm having its office at 101, First Floor, S.L. Shree
Complex, Kurjee, Patna, resident of Mohalla - Gosai Tola, P.O. G.P.O, P.S.
Patliputra District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar Patna.
3. The Senior Superintendent of Police, Bhagalpur.
4. The S.H.O. Adampur Police Station, District Bhagalpur.
5. Anju Panjiyar Wife of Prof. Dr. Ramashish Purbey Resident of Flat No. 202,
Shyama Apartment, Janki Prasad Lane, P.S. TilkaManjhi, District -
Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Manoj Kumar, Adv.
	:	Ms. Sweeti Sinha, Adv.
For the Respondent/s	:	Mr. Md. Nadim Seraj, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present Cr. Writ Petition has been filed for
quashing of F.I.R. bearing Kotwali (Jogsar) P.S. Case No. 19 of
2020 dated 08.01.2020 lodged under Section 406/ 420 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a proprietor of a firm namely 'Gita Vihar
Developers'. He further submits that petitioner use to sell small



pieces of land and there is a civil dispute between the petitioner and the private respondent No. 5 who filed this case. He further submits that it is a civil dispute and unnecessarily converted into criminal nature.

Learned counsel for the petitioner further submits that petitioner is ready to compromise in this case as the main offence is under Section 420 of the I.P.C. which is compoundable under Section 320 of the I.P.C.

Learned counsel for the State submits that investigation is at advance stage and in the year 2021, counter affidavit has been filed, there are materials available against the petitioner and vide Annexure-A and the allegation was found to be true.

Upon going through the content of F.I.R., it transpires to this Court that the petitioner in the name of selling of land has not only cheated private respondent No. 5 but also cheating many others.

In this view of the matter, this Court is not inclined to interfere in the said matter but liberty is hereby granted to the petitioner to approach before original court for compromising of the case after payment of entire dues to the private respondent No. 5.



With this observation, the present Cr. Writ Petition
stands disposed off.

(Dr. Anshuman, J.)

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