

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.244 of 2020

Arising Out of PS. Case No.-9 Year-2018 Thana- PIRBAHOR District- Patna

-
1. SANJIB GOSWAMI S/o Amya Kumar Goswami Resident of Imraza Tola, P.S.- Sheopur, District- Howrah (West Bengal), Presently residing at Surya Vihar Apartment, Exhibition Road, Patna, P.S.- Gandhi Maidan, District- Patna, presently working as Regional Manager, D.T.D.C., Patna
 2. Pramod Kumar S/o Bhuneshwar Prasad R/o village- Jai Mahavir Colony, Raghunath Path, R.P.S. More, P.S.- Rupaspur, District- Patna
 3. Vishwajeet Kumar @ Vishwajeet Kunal S/o Suresh Prasad Resident of Raghu Hari Complex, P.S.- Patrakar Nagar, District- Patna
 4. Manoj Pandey S/o Ramjee Pandey Resident of Sitaram Niwas, Gandhi Gali, Bataganj, Digha, P.S.- Digha, District- Patna ... Petitioners

Versus

1. THE STATE OF BIHAR THROUGH DIRECTOR GENERAL OF POLICE, BIHAR, PATNA Bihar
 2. The Senior Superintendent of Police, Patna , District- Patna Bihar
 3. The Deputy Superintendent of Police, Patna Sadar, District- Patna Bihar
 4. The Station Head Officer, Pirbahore Police- Station, District- Patna Bihar
 5. The Investigating Officer, Pirbahore P.S. Case No. 09 of 2018 Pirbahore Police- Station District- Patna, Bihar
 6. Satish Rajak S/o Late Ganga Rajak R/o Mohalla- Bhola Niketan Path, Mahaveer Colony, P.O.- Mahendru, P.S.- Bahadurpur, District- Patna ... Respondents
-

Appearance :

For the Petitioners	:	Mr.Pankaj Kumar Singh, Adv.
For the Respondents	:	Mr.Saroj Kumar Sharma, AC to AAG III

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioners and the State.

The petitioners have filed the present application for quashing of first information report of Pirbahore P.S. Case No. 9 of 2018, dated 04.01.2018 (Special Case No. 8 of 2018) under Sections 406, 420, 504 and 509/34 of the Indian Penal Code and



3(I)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Counsel for the petitioners submits that it is a case in which time and place of occurrence are missing. From the first information report, it transpires that last interaction between the parties is March, 2017, but, the present first information report has been filed in the year 2018, i.e., on 04.01.2018. Counsel for the petitioners also submits that when this matter was placed before the Special Judge, SC/ST, Patna, then, a show cause was issued to the Station House Officer for delay receiving of the first information report. Counsel further submits that vide Annexure 3, the informant has categorically submitted that grievance has already been settled. Counsel also submits that vide Annexures P-4 and P-4/1 a joint petition has been filed that no grievance left between the parties.

From the records, i.e., Annexure P-5 it also transpires that the dispute between the parties are absolutely a business dispute which was resolved in the garb of filing first information report. At the time of granting bail also the informant appeared and submitted before the Court that the case has been amicably settled between the parties and he is not interested to pursue the same further.



Counsel for the informant had also appeared in this case and after filing of his appearance he is not present to defend his case.

Counsel for the State also submits that from the documents it transpires that there is no grievance left between the parties.

Counsel for the petitioners submits that during the pendency of the writ application charge sheet has been submitted.

In this view of the matter, I am not inclined to interfere in this matter and this writ is **dismissed** with liberty that the petitioners shall represent with all documents annexed here before the Special Judge, SC/ST, Patna, and the Special Judge upon considering the entire documents as well as the documents of the writ petition pass order in accordance with law.

(Dr. Anshuman, J)

Shamshad/-

U		T	
---	--	---	--

