

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 20838 of 2022

Arising Out of PS. Case No.-423 Year-2019 Thana- ARA NAWADA District- Bhojpur

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1. MAHABIR SINGH Son of Late Ramnarayan Singh Resident of village - Vashishth Nagar, Ward No.- 16, P.S.- Ara (Nawada), Pin Code - 802301.
 2. Kirna Devi Wife of Mahabir Singh Resident of village - Vashishth Nagar, Ward No.- 16, P.S.- Ara (Nawada), Pin Code - 802301.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umesh Kumar Singh Son of Late Ramayan Singh Resident of Mohalla - Vashisht Nagar, Ward No.- 16, P.O. and P.S.- Ara (Nawada), District - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, A.P.P.
For the O.P. No. 2	:	Mr. Arun Kumar Singh, Advocate
		Mr. Ajay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT

Date : 19-10-2023

Heard learned counsel for the petitioners, learned A.P.P.
for the State and learned counsel for the opposite party no. 2.

2. The present application has been filed seeking quashing of the order dated 16.06.2022 passed by the learned Chief Judicial Magistrate, Bhojpur at Ara in Ara Nawada P.S. Case No. 423 of 2019 whereby cognizance of the offences under Sections 448, 341, 323 and 504/34 of the Indian Penal Code has been taken against the petitioners.

3. Learned counsel for the petitioners submits that petitioner no. 1 and opposite party no. 2 are own brothers and



petitioner no. 2 is wife of petitioner no. 1. It is further submitted that on intervention of the well wishers the brothers have compromised the case.

4. Learned counsel appearing for the opposite party no. 2 does not dispute the said submissions made by the learned counsel for the petitioners and submits that the opposite party no. 2 does not have any objection in the event if the order taking cognizance is quashed.

5. Considering the joint submissions made by the learned counsel for the parties, the order dated 16.06.2022 passed by the learned Chief Judicial Magistrate, Bhojpur at Ara in Ara Nawada P.S. Case No. 423 of 2019 whereby cognizance of the offences under Sections 448, 341, 323 and 504/34 of the Indian Penal Code has been taken against the petitioners, is hereby quashed.

6. Accordingly, this application stands allowed.

(Satyavrat Verma, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	19.10.2023
Transmission Date	19.10.2023

