

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8872 of 2017

Arising Out of PS. Case No.-404 Year-2014 Thana- MOTIHARI TOWN District- East
Champaran

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Kishori Singh Wife of Late Sachidanand Singh, Resident of Village/Mohalla-
Kanchewa, P.S.- Harsiddhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sushil Kumar Mishra, Son of Mahendra Kumar Mishra, Resident of Mohalla
Krishnanagar Agrawa, P.S. Motihari Town, District East Champaran,
Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Uday Bhan Singh
For the Opposite Party/s :	Mr. Akhileshwar Dayal
	Mr. Jitendra Nath Tiwary
	Mr. Sanjeeb Kumar Sanju
	Mr. Nawal Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The learned counsel for the petitioner submits that
the present quashing application has been filed seeking quashing
of the F.I.R. being Motihari Town P. S. Case No.404 of 2014
instituted under Sections 406, 417, 420, 506/ 34 of the I.P.C.

3. The learned counsel for the petitioner, at the outset,
submits that he had instructions to make submission that till
date, the case is being investigated by the police and charge-
sheet has not been submitted. It is next submitted that from
perusal of the allegation as alleged in the F.I.R., which arises



from the Complaint Case No.683 of 2014, it would manifest that the informant alleges that Ambika Dutta used to visit the Post Office and he disclosed that he has a plot of land consisting an area of one kattha in the name of his mother Kishori Singh (petitioner), which she intended to sell. It is next alleged that the informant indicted to purchase 05 Dhur of land and the price for the land was fixed at Rs.8 Lacs. Thereafter, the informant transferred Rs.6 Lacs in the bank account of the accused persons including the petitioner, but the land was not registered in her name.

4. The learned counsel next submits that no doubt, from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant is trying to give an impression that she was cheated, but then, the price so fixed did not materialize as a result of which, the transaction could not succeed. It is next submitted that no prudent person with an intention to cheat would accept money in their own account. It is next submitted that the money which the petitioner and the other accused persons had accepted in their bank account has been returned to the informant.

5. The learned counsel for the informant fairly submits on instruction that he has instruction to make



submission that the informant does not have any objection in the event, if the F.I.R. is quashed as the matter has been compromised between the parties.

6. Considering the submission made by the learned counsel for the informant, the F.I.R. being Motihari Town P. S. Case No.404 of 2014 instituted under Sections 406, 417, 420, 506/ 34 of the I.P.C. is hereby quashed.

(Satyavrat Verma, J)

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