

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.824 of 2013

Arising Out of PS. Case No.-372 Year-2012 Thana- MADHUBANI TOWN District-
Madhubani

-
-
1. Yogendra Singh @ Yogendra Singh Dhillon and Anr. Son Of Late Ajit Singh Dhillon Resident Of 12, B, Russell Street, P.S. Shakespeare Sarani, District - Kolkatta
 2. Shyam Sunder Singh Son Of Late Saryug Singh Resident Of Village - Hariharpur, P.S. - Pupri, District - Sitamarhi, Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar Through Director General Of Police
2. The Commercial Taxes Officer, Madhubani Division, District - Madhubani, Bihar
3. The Superintendent Of Police District Madhubani, Bihar
4. The Officer Incharge Cum Investigating Officer, P.S. - Madhubani, Town, District Madhubani, Bihar

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Prabhat Ranjan, Advocate
For the Respondents	:	Mr. Lalit Kishor Principal, AAG

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 17-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

This application has been filed for quashing of F.I.R in connection with Madhubani Town P.S. Case No. 372 of 2012 (G.R. No. 3470 of 2012) passed by learned C.J.M, Madhubani against the petitioners for the offences under Sections 420, 467, 468, 471, 379, 34 of the Indian Penal Code and Section 56(4)/61 of the Bihar Value Added Tax Act 2005.

In the present case, the penalty amount was deposited



by the petitioners before the Commercial Taxes Authorities and thereafter, the present F.I.R has been lodged with mala fide intention.

Considering the aforesaid facts as also the law laid down by the Hon'ble Supreme Court in case of ***Uttam Chand & Others Vs Income Tax Officer, Central circle*** reported in ***(1982)2 SCC 543***, this application is allowed.

Accordingly, F.I.R vide Madhubani Town P.S. Case No. 372 of 2012 (G.R. No. 3470 of 2012) and all other proceedings arising out of the aforesaid F.I.R. are hereby quashed.

(Sandeep Kumar, J)

Harsh/

U			
---	--	--	--

