

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35726 of 2015

Arising Out of PS. Case No.-414 Year-2013 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Smt. Neeta Jha wife of Birendra Kumar Jha
 2. Birendra Kumar Jha son of Bhuvneshwar Jha both r/o Bhagwanpur, P.s. Sadar, Distt. Muzaffarpur

... .. Petitioner/s

Versus

1. State Of Bihar
2. Branch Manager Syndicate Bank Bhagwanpur P.S. Sadar, Distt. Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivpujan Singh, Mr. Mukesh Kumar Singh, Advocates
For the State	:	Mr. Upendra Kumar APP
For CANARA BANK	:	Mr. Rajan Ghoshrahe, Adv.

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 13-12-2023 Heard the parties.

2. The present petition has been filed under Section 482 CrPC for quashing the order dated 16.03.2015 passed by Ld. Chief Judicial Magistrate, Muzaffarpur in Sadar PS Case No. 414/2013 (GR No.4863/2013) T.R. No. 1950/2015, whereby Ld. CJM has taken cognizance of offence punishable under Sections 420, 467 and 468 IPC against the petitioners.

3. The said FIR was lodged on account of non deposit of some documents related with landed property as security for loan of Rs. 15 Lacs from the Informant/Bank.

4. However, Ld. Counsel for the petitioners as well as Ld. Counsel for the Informant/Bank submit that the matter has been settled between the petitioners and the Bank. Ld. Counsel



for the petitioners files a copy of certificate issued by the Bank to certify that Account No. 7491/717/540 of Birendra Kumar Jha and Act No. 7491/717/1072 of Neeta Jha has been settled and closed under OTS by Sri Birendra Kumar Jha.

5. Ld. Counsel for the Informant/Bank also files a copy of Email issued from the Bank to the effect that the matter has been settled between the Bank and the petitioners under one time settlement and the loan account has been closed.

6. There is joint prayer on part of both the parties to allow the petition quashing the impugned order as well as whole criminal case arising out of the same.

7. In view of the fact that criminal case has been filed on account of dispute of civil nature in regard to loan and the loan dispute has been settled between the parties, the present petition stands allowed quashing the order dated 16.03.2015 passed by Ld. Chief Judicial Magistrate, Muzaffarpur in Sadar PS Case No. 414/2013 (GR No.4863/2013) T.R. No. 1950/2015 as well as all the criminal proceedings arising out of the same.

(Jitendra Kumar, J)

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