

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1190 of 2019

Arising Out of PS. Case No.-273 Year-2018 Thana- BARBIGHA District- Sheikhpura

1. SANTOSH TIWARI @ SANTOSH KR. TIWARI S/o S.N. Tiwari Posted as Customer Relation Executive in Tata Capital Financial Services Ltd, working in TATA Capital Financial Services Limited having its branch office at 1st Floor, East Ram Krishna Nagar above ICICI Bank, Opp. Shivam Convent School, By Pass Road, Patna- 800027, Bihar
2. Anjani Srivastava @ Anjani Kumar Srivastava S/o Chandra Shekhar Shrivastava Posted as Collection Manager in Tata Capital Financial Services Ltd, working in TATA Capital Financial Services Limited having its branch office at 1st Floor, East Ram Krishna Nagar above ICICI Bank, Opp. Shivam Convent School, By Pass Road, Patna- 800027, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, THROUGH PRINCIPAL SECRETARY, HOME DEPTT., GOVT. OF BIHAR, PATNA Bihar, Patna.
2. The State of Bihar, through Director General of Police, Sardar Patel Bhawan, Patna. Patna
3. Superintendent of Police, Sheikhpura, Bihar Bihar
4. Investigating Officer, Barbigha P.S. Case No. 273/2018 Barbigha.
5. Jitendra Yadav S/O Nande Yadav Village-Piprapur, PO-Jiyar, PS Sare, District-Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dayanand Singh

For the Respondent/s : Mr.Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 07-08-2023 Heard the parties.

2. This application has been filed on behalf of the petitioners for quashing the FIR bearing Barbigha P.S. Case No. 273 of 2018 pending in the Court of learned CJM, Sheikhpura.



3. It has been submitted by the learned counsel for the petitioners that though the notice has not been served but now the informant has paid the entire dues and after payment of the entire dues by the informant Tata Capital Financial Services Limited has issued a no dues certificate on 13.03.2019 and therefore the respondent No. 5 has lost interest in the prosecution.

4. In view of the payment of the amount in the question and issuance of no dues certificate, no dispute remains between the parties.

5. Moreover, from reading of the FIR it appears that it is basically a contractual dispute arising out of the transactions between the company and the respondent No. 05.

6. The petitioner No. 01 was working as Customer Relation Executive and petitioner No. 02 was Collection Manager in the Company.

7. In my opinion, no offence is made out against the petitioners as they are only the employees of the company, therefore, this application is allowed.

8. Accordingly, the FIR bearing Barbigha P.S. Case No. 273 of 2018 pending in the Court of learned CJM, Sheikhpura and all consequential proceedings with regard to the



aforesaid FIR is hereby quashed in the interest of justice.

(Sandeep Kumar, J)

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