

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52357 of 2019

Arising Out of PS. Case No.-50 Year-2018 Thana- PAKRIDAYAL District- East Champaran

KAHKASHAN NAZ Wife of Javed Khan @ Javed Ahmad Khan @ Guddu
Khan Resident of Village-Chorma, P.S.-Pakridayal, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

6 19-04-2023 Heard the parties.

This application has been filed on behalf of the petitioner for quashing the order dated 03.12.2018 passed by learned ACJM, V, Motihari, East Champaran in Pakaridayal P.S. Case No. 50 of 2018 / G.R. No. 1907 of 2018.

Learned counsel for the petitioner submits that the petitioner is a lady and she has no hand in the transaction and money has been transferred in the account of her husband and she has no role in the matter.

Learned counsel for the O.P. No. 02 submits that the petitioner was instrumental in the case of cheating.

Considering the submissions of the parties and also considering the fact that the petitioner is a lady and there is no direct allegation on her of having received any money, this



application is allowed.

Accordingly, the order dated 03.12.2018 passed by learned ACJM, V, Motihari, East Champaran in Pakaridayal P.S. Case No. 50 of 2018 / G.R. No. 1907 of 2018 is hereby quashed.

This case is being allowed only considering the fact that there is no allegation of transfer of money in the account of the petitioner. The husband of the petitioner cannot take benefit of this order.

(Sandeep Kumar, J)

Vikas/Shishir

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