

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54000 of 2022

Arising Out of PS. Case No.-848 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Richa Sharma Daughter of Late Daya Shankar Upadhyay R/o 501, Panch Kiran, Panch Marg, Yari Road, Versova, Andheri West, Mumbai - 61, Maharashtra
 2. Varun Gupta Son of Prabhu Dayal Gupta R/o 573/A/4, Tapkeshwar Road, Garhi Cantt, Dehradun, Uttarakhand - 248003

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Kumar Yadav Son of Late Sukhdev Yadav Company Director - Skyline Global Services, Mohalla - B-55, Birla Colony, Phulwari Sharif, P.S.- Phulwari, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maurya Vijay Chandra,
Mr. Gaurav Govinda
For the Opposite Party/s : Mr. Navin Kumar Pandey,

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

4 06-02-2023 Heard Ld. counsel for the petitioners and Ld.
APP for the State.

The present petition has been filed under
Section 482 Cr. P.C. to quash the order dated 08.06.2018,



passed by Ld. A.C.J.M-XII, Patna, in connection with Cr. Case Complaint (P) Case No. 848 of 2018, whereby cognizance of offence punishable under Sections 420, 120B and 34 of the Indian Penal Code, has been taken.

The matter is related to a musical concert where the accused/petitioner no.1, Richa Sharma was to perform music and other two petitioners are managers of the artist.

As per the allegation, part consideration was already paid and part was to be paid after the event. In course of time, the date of event changed and on account of some miscommunication, musical event could not be organized and monetary dispute arose between the informant as well as the accused persons. However, they have amicably settled their dispute.

As per submission, the advance money has already been paid back by the accused persons to the informant and as per settlement, bank draft of Rs. 10 lakh is required to be given to the informant by the petitioner to be handed over to the informant.

Joint affidavit by Ld. Counsel for both the sides has been filed across the board regarding settlement of the disputes by the parties and a bank draft of Rupees Ten Lakh is handed over by Ld. Counsel for the petitioners to Ld. Counsel for the informant. A photostat copy of the bank draft is on record. This bank draft will be handed over to the



informant by his counsel who received it in the Court.

As the dispute is of civil nature and the matter has been settled by the parties, there is no need to proceed with the criminal proceedings. Hence, the criminal proceedings arising out of the Complaint Case No. 848 of 2018 is quashed including the order dated 08.06.2018 passed by Ld. A.C.J.M-XII, Patna in Criminal Complaint case no. 848 of 2018.

Hence, the petition is allowed accordingly.

(Jitendra Kumar, J)

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