

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27 of 2022

Arising Out of PS. Case No.-427 Year-2014 Thana- GANDHIMAIDAN District- Patna

MD SALIM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 5 20-07-2023 1. Heard learned counsel for petitioner and learned Additional Public Prosecutor.
2. This application is filed for quashing of the order dated 10.09.2021 passed in Cr. Rev. No. 59 of 2021 by the learned Sessions Judge, Patna, whereby and where under the said Revision Application has been dismissed affirming the proclamation issued under section 82 of the Cr.P.C. vide order dated 03.02.2019 passed by the learned A.C.J.M-14th, Patna in G.R. No. 7709 of 2014 arising out of Gandhi Maidan P.S. Case No. 427 of 2014 was made to challenge.
3. As per the prosecution case, the petitioner and other were running a forge and fabricated business, under the name and style of M/s Gulshan Group of Company which have



four branches namely Gulshan Nirman Indian Ltd., Gulshan Hospitality and Resort Ltd., M/s Gulshan World Tour and Travelling Pvt. Ltd and M/S Kryptic Infracon Indian Ltd. The accused persons floated a scheme to sell the debenture of the company. The Complainant's son namely Saroj Kumar Singh had been allotted a separate agent Code No. 1638 but the complainant on behalf of his son was doing the alleged job and all the such transaction was going on, on the basis of verbal agreement made between complainant and accused persons. Slowly and gradually he appointed 163 agents and sum of Rs. 76,70,500/- was collected from different person from rural area. Having intent of deception, the accused had opened Branch Office at Exhibition Road, Patna but the said office was closed after collection of the said huge amount. When complainant approached for settlement of matter amicably, accused persons threatened the complainant for implicating him in false prosecution. Complainant made a report to the Park Street, Kolkata but no action was taken by the local police there. Thereafter, the complainant filed complaint before the Court of Chief Judicial Magistrate, Patna.



4. It appears that the petitioner who are the residents of West Bengal are engaged in cheating the innocent citizens of Bihar which has been happening since long and they are avoiding appearance before the Investigating Authority and in the Court on one ground and the another.
5. The impugned order passed by the Revisional Court is a well reasoned order and no ground for interference has been made out by the learned Senior Counsel. Accordingly, this application is dismissed.
6. The A.C.J.M-14th, Patna in G.R. No. 7709 of 2014 arising out of Gandhi Maidan P.S. Case No. 427 of 2014 is directed to take all steps in accordance with law for appearance of the accused.
7. Let a copy of order be communicated to the District Judge, Patna and Senior Superintendent of Police, Patna through Fax and E-mail forthwith for its compliance.

(Sandeep Kumar, J)

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