

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51749 of 2015

Arising Out of PS. Case No.-253 Year-2008 Thana- NARPATGANJ District- Araria

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1. Bishwambhar Pandey, Son of Late Bhuvaneshwar Pandey,
 2. Surya Narian Yadav, Son of Late Anuplal Yadav,
 3. Mithilesh Yadav, Son of Surya Narain Yadav, all three resident of Village- Pasdaha, Police Station- Fulkaha, District- Araria,
 4. Surendra Yadav, Son of Gujai Yadav, resident of Village- Dumaria, Police Station- Fulkaha, District- Araria.
 5. Maheshwari Yadav, Son of Late Dharmi Yadav, resident of Village- Mirzapur, Police Station Fulkaha, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Tulanand Ram, Son of Late Yogendra Ram, resident of Village- Mirzapur, Ward No.2, Police Station- Fulkaha, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Sadanand Paswan- SPL.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners submits that the present quashing application has been filed seeking quashing of the order dated 03.05.2011 passed by the learned C.J.M., Araria in Narpatganj P. S. Case No.253 of 2008 whereby the learned Court below differing with the final report took cognizance of the offence under Sections 341, 323, 504 of the I.P.C. and Section 3(1)(X) of the SC/ST (Prevention of



Atrocities) Act.

3. The learned counsel for the petitioners submits that even the police after investigation did not find the case to be true against the petitioners and thus, submitted final form, but the learned trial Court in a mechanical manner differed with the police report and took cognizance as recorded herein above. It is next submitted that from perusal of the Annexure-3 to the quashing application, it would manifest that even the parties have compromised and the informant did not intend to pursue the case any further. It is submitted that the order of cognizance is dated 03.05.2011 and the compromise was entered in between the parties on intervention of well-wishers on 04.09.2014. It is further submitted that even police had found the case false and thereafter, even informant does not intend to pursue with the case any further.

4. The learned Additional P. P. opposes the quashing application.

5. Considering the submission and the fact that the parties have compromised the case as would be evident from Annexure-3 to the quashing application, the order dated 03.05.2011 passed by the learned C.J.M., Araria in Narpatganj P. S. Case No.253 of 2008 whereby the cognizance has been taken



under Sections 341, 323, 504 of the I.P.C. and Section 3(1)(X)
of the SC/ST (Prevention of Atrocities) Act is hereby quashed.

(Satyavrat Verma, J)

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