

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34701 of 2015

Arising Out of PS. Case No.-1378 Year-2013 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

Mumtaz Chand son of late Babuzan resident of village Majhauri Khetal p.s.
Sadar District Muzaffarpur.

... .. Petitioner/s

Versus

1. State of Bihar
2. Ali Akhtar son of Md. Hadis Ansari resident of village Kobija p.s. Kurhani
Dist. Muzaffarpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vindhya Keshari Kumar, Sr. Advocate. Mr. Ravi Shankar Pathak, Advocate. Mr. Satyendra Narayan Singh, Advocate.
For the State	:	Mr. Chandra Sen Pd. Singh, APP
For the Opposite Party No. 2:	:	Md. Jubair Ansari, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

8 08-02-2024 Mr. Vindhya Keshari Kumar, Ld. senior counsel for

the petitioner along with Mr. Ravi Shankar Pathak, Mr. Chandra

Sen Pd. Singh, Ld. APP for the State and Mr. Jubair Ansari, Ld.

counsel for the Opposite Party No. 2 are present.

2. Ld. senior counsel for the petitioner as well as Ld.

counsel for the Opposite Party No. 2 informed the Court that the

matter has been settled between the parties. Hence, they pray

that the impugned order dated 11.4.2014 passed in Complaint

Case No. 1378 of 2013/Trial No. 3917 of 2014 along with

Criminal Proceedings arising out of the same may be quashed.

3. In view of the statement of Ld. counsel for the



parties, the impugned order dated 11.4.2014 passed by Ld. Judicial Magistrate, 1st Class, Muzaffarpur, in Complaint case No. 1378 of 2013/Trial No.3917 of 2014 and the Criminal Proceedings arising out of the same is quashed in the interest of justice because dispute between the parties is basically civil in nature and the dispute is related with the land in question. As per the statement of Ld. counsel for the petitioner, a Title suit No. 947 of 2012 has already been filed by the Opposite Party No. 2 which is pending in the court of Ld. Sub Judge, Muzaffarpur.

4. Accordingly, the present petition is allowed quashing the impugned order dated 11.4.2014 passed by Ld. Judicial Magistrate, 1st Class, Muzaffarpur, in Complaint Case No. 1378 of 2013/Trial No. 3917 of 2014 along with the criminal proceeding arising out of the same.

(Jitendra Kumar, J)

S.Ali/-

U		T	
---	--	---	--

