

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10659 of 2021

Arising Out of PS. Case No.-686 Year-2013 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Praveen Sah @ Praveen Sahu, S/o Late Har Narayan Sharma, Director of D.N.A. Infrastructure Pvt. Ltd., Registered office at B-1, Kalindi Colony, Delhi-P.S.-New friends Colony, District-South Delhi-110065 India. Corporate Office G-11, Sector-11, Noida-201301 (U.P.), Residential Address-M-15 Saket, 8-1 Kalindi Colony New Delhi-110065, New Delhi.
 2. Ashish Singh, S/o Late Vijendra Singh, Director of D.N.A. Infrastructure Pvt. Ltd., Registered office at B-1, Kalindi Colony, Delhi-P.S.-New friends Colony, District-South Delhi-110065 India. Corporate Office G-11, Sector-11, Noida-201301 (U.P.), Residential Address-M-15 Saket, 8-1 Kalindi Colony New Delhi-110065, New Delhi.
 3. Manoj Dassani, S/o Chand Rulin Dussani, Ex-Chief Executive Officer, DNA Infrastructure Pvt. Ltd. having its office at B-1, Kalindi Colony, Delhi-110065, India.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Prakash Ranjan Sinha, S/o Umesh Chandra Verma, Resident of Village-Baghi, P.S.-Town, Begusarai, District-Begusarai.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 16102 of 2018

Arising Out of PS. Case No.-686 Year-2013 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Praveen Sah and Ors S/o Late Har Narayan Sharma,
 2. Ashish Singh, S/o Late Vijendra Singh, Both are Director of D.N.A. Infrastructure Pvt. Ltd. Registered office at B-1, Kalind Colony, Delhi-110065 India. Corporate office G-11, Sector 11, Noida-201301 Uttar Pradesh0, Residential Address-M-15 Saket, 8-1 Kalind Colony New Delhi-110065, New Delhi, P.S.- New Friends Colony, District- South Gali, New Delhi.
 3. Manoj Dussani, S/o Chand Rulin Dussani, Ex Chief Executive Officer, DNA Infrastructure Pvt. Ltd. having its office at B-1, Kalindi Colony, Delhi-110065, India, P.S.- New Friends Colony, District- South Gali, New Delhi.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr.
2. Prakash Ranjan Sinha, S/o Umesh Chandra Verma, R/o Village- Baghi, P.S.- Town Begusarai, District- Begusarai.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10659 of 2021)

For the Petitioner/s : Mr. Rajesh Kumar, Advocate



For the Opposite Party/s : Mr. Mrityunjay Kumar Nirala, APP
Mr. Prakash Ranjan Sinha (In Person)

(In CRIMINAL MISCELLANEOUS No. 16102 of 2018)

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP
Mr. Sanjeev Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 02-08-2024 Heard learned Advocate for the petitioner and the learned Additional Public Prosecutor for the State. The opposite party no. 2 appears in-person.

2. The petitioners by invoking the inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure has preferred the present application, seeking quashing of the order dated 04.03.2017 passed in Criminal Revision no. 103 of 2013 by the learned Additional Sessions Judge VI, Begusarai, whereby and whereunder learned Additional Sessions Judge refused to interfere/set aside the order dated 07.09.2013 passed in Complaint Case no. 686(c) of 2013 wherein cognizance has been taken for the offences under sections 406 and 420 of the Indian Penal Code against the petitioners. The petitioners have also challenged the order dated 15.12.2018 affirming the order dated 12.12.2017 passed by the learned Judicial Magistrate 1st Class rejecting the petition filed under Section 205 Cr.P.C.

3. Considering the nature of the dispute which relates to money transaction based upon accounting, the matter was



referred to the Mediation and Conciliation Centre of the Patna High Court. The parties were directed to sit across the table and settle the dispute. The allegation of the opposite party no. 2 was also confined to the fact that some payment against the bill raised by the opposite party no. 2 was due but the same has not been paid by the petitioners and, in this way they have misappropriated the due amount.

4. In pursuant to the order of this Court both the parties sat together and amicably settled the dispute and after proper accounting, the petitioners agreed to pay an amount of Rs. 3,43,917/- vide demand draft no. 030991. The demand draft has been handed over to the opposite party no. 2 in the Court. The opposite party no. 2 is directed to endorse his acknowledgment of receipt. The photo copy of the draft is kept on record.

5. The opposite party no. 2, present in Court, has submitted at the Bar that on account of amicable settlement outside the Court, now his grievance has been redressed and he does not want to pursue the matter.

6. In view of the aforesaid facts, the continuation of the proceeding arising out of Complaint Case No. 686(c) of 2013 would be an abuse of the process of the Court and, as such, it stands quashed, in the ends of justice.



7. Both the quashing applications stands allowed.

(Harish Kumar, J)

supratim/-

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