

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43708 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- BENIPATTI District- Madhubani

Ravindra Kumar Kundu @ Ravindra Kundu Son Of Late Nikhil Kumar Kundu R/O- Rani Meyyammai Towers, Flat 5h, 5th Floor Block Sathyadev Avenue, P.S.- E5, Foreshore Estate (Pattinapakkam), Mrc Nagar, Ra Puram Distt.-Chennai, State- Tamilnadu-600028 Executive Director Of Cholamandalam Investment And Finance Company Ltd. Office As Dare House No-2, Nsc Bose Road Parrys Chennai

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Abdul Gafur Son Of Md. Dukhi Village- Gamhariya Ps- Benipatti Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Dayanand Singh, Advocate Mr. Dhananjay Kashyup, Advocate
For the Opposite Party/s :		Dr. Mrityunjaya Kr.Gautam Mr. Vijay Kumar Mr. Brahmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 3 30-07-2024 Heard Shri P.N. Shahi; learned senior counsel for the petitioner assisted by Shri Dayanand Singh, learned counsel for the State and the learned counsel for the O.P. NO. 02.

2. This is an application for setting aside the order dated 10.05.2022 passed by the learned Additional Chief Judicial Magistrate, 1st, Benipatti in Complaint Case No. 123(C) of 2022 by which the court below directed that the complaint be sent to Benipatti Police Station under Section 156(3) of Cr.P.C. for registration of F.I.R. and pursuant thereto, Benipatti P.S.



Case No. 160 of 2022 was registered under Section 406, 467, 468, 420 and 34 of the Indian Penal Code.

3. Learned senior counsel for the petitioner has submitted that the petitioner is the *Executive Director of Cholamandalam Investment and Finance Company Ltd.* He next submitted that there is no whisper of allegation against the petitioner.

4. The contention of the learned senior counsel for the petitioner has been accepted by the learned counsel for the O.P. No. 02, and he has submitted that the case can be quashed as against the petitioner.

5. Considering the aforesaid, ***this application is allowed*** and the impugned order dated 10.05.2022 passed by the learned Additional Chief Judicial Magistrate, 1st, Benipatti in ***Complaint Case No. 123(C) of 2022*** and the F.I.R. of ***Benipatti P.S. Case No. 160 of 2022*** dated 23.06.2022 including the entire prosecution of the petitioner are hereby quashed.

(Sandeep Kumar, J)

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