

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45549 of 2023

Arising Out of PS. Case No.-6641 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Vivek Kumar S/O Late Ramchandra Prasad R/O Village- Murtazapur, Ps. Belchhi, Masatthu, Barh, Dist. Patna, At Present Residing At Flat No. 102, Block-A, Shanti Vihar Apartment, Opposite Of R.B.I. Bank, Ps. Gandhi Maidan, Dist. Patna

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Nand Lal Prasad S/O Late Ram Mistri Resident Of Flat No. 103, Block-A, Shanti Vihar Apartment, Opposite Of R.B.I. Bank, Ps. Gandhi Maidan, Dist. Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the O.P. No.2	:	Mr. Shailendra Kumar Singh, Advocate
for the State	:	Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

10 05-09-2024 Heard learned counsel for the parties.

2. The present application has been for quashing the order dated 17.05.2022 by which learned court below has taken cognizance against the petitioner in connection with Complaint Case No. 6641 (C) of 2021, registered for the offence u/s 420 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have registered a flat along with parking space wearing D.D. No. 11435 to the complainant on 24.06.2008 to the consideration amount of Rs. 9,18,000/-. But after lapse of



much time, petitioner has not executed the paper of parking space and handing over the possession of the same in favour of the complainant. Hence, the complainant filed a complaint case against the petitioner.

4. Learned counsel for the petitioner submits that the dispute between both the parties have been resolved. The parking claimed by the opposite party no. 2 has come in his possession.

5. In view thereof, this application is allowed.

6. The cognizance order dated 17.05.2022 passed in Complaint Case No. 6641 (C) of 2021, is hereby quashed.

(Sandeep Kumar, J)

Ranjeet/-

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