

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8491 of 2022

Arising Out of PS. Case No.-321 Year-2015 Thana- BIDUPUR District- Vaishali

Mrityunjay Singh, Son of Ram Chandra Singh, Resident of Village - Near
Refferal Hospital, Barhiya, Lakhisarai, Bihar- 811302

... .. Petitioner

Versus

1. The State of Bihar
2. Ashok Kumar, son of Darshrath Prasad Nirala, resident of village-
Kutubpur, P.S. - Bidupur, District- Vaishali

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dayanand Singh, Advocate Mr. Dhananjay Kashya, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the Opp. Party no.2	:	Mr. Kumar Rakesh Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 10-07-2025 Heard learned counsel for the petitioner, learned for
the State and learned counsel for the opposite party no.2.

2. In this case, the petitioner is challenging the
order dated 04.01.2020 passed by the learned Chief Judicial
Magistrate, Vaishali at Hajipur in Bidupur P.S. Case No.321 of
2015, by which the learned Magistrate has taken cognizance
against the petitioner for the offence under sections 341, 323,
379/34 of the Indian Penal Code.

3. As per the prosecution case, on 16.07.2015
few people from L&T finance company came at the house of the
informant for collecting the outstanding loan amount and they
wanted to repossess the tractor of the informant, upon which,



the informant and his father said that right now they are giving Rs.1,30,000/- and rest amount will be paid by them within two days but, they did not agree for the same. When the informant and his father objected the same, one of the people from the said group hit the informant with a pistol and snatched Rs.1,30,000/- from his pocket and thereafter they tried to free away but with the help of villagers three of them were apprehended.

4. Learned counsel for the petitioner and learned counsel for the opposite party no.2 have jointly submitted that both the parties have settled their dispute and the loan account of the opposite party no.2 has been closed and in this circumstances, they jointly prayed that the present F.I.R. filed by the opposite party no.2 may be quashed by this Court.

5. It has also jointly been submitted by learned counsel for the parties that a counter case has been filed by one Manish Kumar i.e. Bidupur P.S. Case No.320 of 2015 against the opposite party no.2 and one Dashrath Prasad Nirala, which may also be quashed.

6. Considering the fact that both the parties have settled their disputes amicably and they do not want to proceed further in their respective criminal cases filed by them against each other and in the interest of justice, the entire



proceeding of Bidupur P.S. Case No. 321 of 2015 including the cognizance order dated 04.01.2020 as well as the entire proceedings of Bidupur P.S. Case No.320 of 2015 are hereby quashed.

7. Accordingly, this application is allowed.

(Sandeep Kumar, J)

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