

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39044 of 2024

Arising Out of PS. Case No.-138 Year-2022 Thana- SULTANGANJ District- Patna

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1. Suman Bala W/o- Sh. Ramesh Kumar Village- W.No- 9 Near LIC Office Ps- Budhlada Dist-Mansa Punjab
 2. Ramesh Kumar son of Sh. Krishna Chand Village- W.No- 9 Near LIC Office Ps- Budhlada Dist-Mansa Punjab
 3. Janu Arora @ Vansh Arora son of Sh. Ramesh Kumar Village- W.No- 9 Near LIC Office Ps- Budhlada Dist-Mansa Punjab

... .. Petitioners

Versus

1. The State of Bihar
2. Dr. Akramullah khan son of Insmullah Khan R/o- Nimtal Dargah Road Near Reliance Medical Hall Ps- Sultanganj Dist- Patna
3. Md. Saleh son of Md. Nizzamuddin R/o- Moh- Sabzi Bagh Karim Manjil Dariyapur Dist- Patna, P/A- Nimtal Dargah Road Near Reliance Medical Hall Ps- Sultanganj Dist- Patna

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT

Date : 26-06-2025

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The present petition has been preferred under section 482 of the Code of Criminal Procedure (in short, the 'Cr.P.C.') as to quash the FIR bearing Sultanganj P.S. Case No. 138 of 2022 registered for the offences punishable under section 420, 406, 34 of the IPC and section 138 of the Negotiable Instruments Act.



3. The brief case of the prosecution as per present FIR is that the petitioners/accused cheated the informant namely, Dr. Akramulla Khan, who has issued three different cheques No. 512203, 512197 and 512194, all drawn on State Bank of India, each for Rs. 10 Lakhs, was dishonored on presentation before the Bank, which was paid in lieu of Rs. 30 Lakhs received from the informant/opposite party no. 2 in connection with business activities.

4. It is submitted by learned counsel appearing for the petitioners that matter now compromised between the parties for Rs. 28 Lakhs.

5. It is submitted in view of compromise, Rs. 28 Lakhs was transferred in the bank account of the informant, receipt of which is annexed with petition as Annexure P/4 series.

6. Mr. Rohit Raj, learned counsel appeared on behalf of the opposite party no. 2 and also affirmed the factum of compromise, as submitted aforesaid, and stated that the matter compromised against Rs. 28 Lakhs, which was duly received by the informant.



7. In view of aforesaid, as the matter already resolved by way of compromise, as discussed aforesaid, continuing with the present proceeding before the learned court below would only amount to abuse of the process of court of law.

8. Taking note of aforesaid FIR bearing Sultanganj P.S. Case No. 138 of 2022 dated 28.04.2022 is hereby quashed/set aside with all its consequential proceeding, if any.

9. Accordingly, this application stands allowed.

10. Let a copy of this judgment be sent to the learned trial court/concerned court immediately.

(Chandra Shekhar Jha, J)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2025
Transmission Date	27.06.2025

