

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31487 of 2019

Arising Out of PS. Case No.-230 Year-2011 Thana- DALSINGHSARAI District- Samastipur

AMIT KUMAR SINGH Son of Shri Sushil Kumar Singh, Resident of
Munger Road, near Railway Station, Jamalpur, P.S.-Jamalpur, District-
Munger.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sanjiv Kumar Singh Son of Shri Paras Nath Singh, Resident of Village and
P.O.-Pagra, P.S.-Dalsinghsarai, District-Samastipur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ashraf Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 22-04-2025

Heard the parties.

2. This application has been filed for quashing the order dated 05.12.2015 passed by the learned Additional Chief Judicial Magistrate, II, Dalsinhgsarai, Samastipur, in Dalsinghsarai P.S. Case No. 230 of 2011, whereby the learned Magistrate has taken cognizance against the petitioner for the offence under section 406, 419 and 420 of the Indian Penal Code.

3. As per the F.I.R. the informant is running a petrol pump in the name and style of Maa Bhagawati Fuels. It is alleged that the petitioner approached the informant claiming himself to be the CEO of M/S Akansha Infra, which is involved



in the construction work and requested the informant to supply fuel for his company and assured him that the payment would be made forthwith. On the assurance of the petitioner, the informant supplied the fuel to the tune of Rs.4,88,444/- but in spite of repeated requests, the petitioner did not pay the said amount.

4. From Annexure-4 of this application, it appears that the parties have settled their disputes and they have entered into an agreement. Therefore, the opposite party no.2 neither appeared in the Court below nor in this Court. As per the agreement, the opposite party no.2 has already received Rs.2,00,000/- from the petitioner.

5. In view of the aforesaid facts, this application is allowed. The F.I.R. vide Dalsinghsarai P.S. Case No. 230 of 2011 and all consequential proceedings arising out of the aforesaid FIR including the order taking cognizance dated 05.12.2025 passed by the learned Magistrate are hereby quashed.

(Sandeep Kumar, J)

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