

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14530 of 2015

Arising Out of PS. Case No.-61 Year-2014 Thana- JALALGARH District- Purnia

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1. ARUN KUMAR RUGTA @ ARUN KUMAR RUGTA S/o Late Ram Gopal Rungta
 2. Deepak Rugta @ Deepak Kumar Rungta S/o Arun Kumar Rungta
 3. Akshya Rugta @ Chunnu @ Akshay Kr. Rungta, S/o Arun Kumar Rungta
All are Resident of village- Harchandpur, P.s.- Jalalgarh, District- Purnea

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sajjan Kumar Rungta, S/o Late Ram Gopal Rungta, Resident of village-
Harchandpur, P.s.- Jalalgarh, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Saket Gupta, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the O.P No.2	:	Mr. Manindra Kishore Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

15 25-08-2025 This Court vide order dated 19.08.2025 had requested Mr. Anil Kumar Singh, learned counsel to mediate between the parties. However, due to inadvertence, in paragraph nos.2 and 3 of the order dated 19.08.2025, name of Mr. Anil Kumar Singh has incorrectly been typed as Mr. Sunil Kumar Singh. The order dated 19.08.2025 is rectified to the extent that in place of Mr. Sunil Kumar Singh, the same is substituted by Mr. Anil Kumar Singh. Rest part of the order shall remain intact.

Re:- Cr. Misc. No.14530 of 2015:

2. Heard Mr. N. K. Agrawal, learned Senior Counsel



along with Mr. Saket Gupta, learned counsel appearing on behalf of the petitioner; Mr. Ajit Kumar, learned APP for the State and Mr. Manindra Kishore Singh, learned counsel for the o.P. No.2.

3. The petitioner seeks quashing of the order taking cognizance dated 12.08.2014 passed by the learned Judicial Magistrate 1st Purnea in connection with Jalalgarh P.S. Case No.61 of 2014, by which he has taken cognizance of the offence under Sections 420, 120(B)/34 of the Indian Penal Code, allegedly the petitioner has sold the ancestral land belonging to joint family.

4. Mr. N. K. Agrawal, learned Senior Counsel appearing on behalf of the petitioners submitted that there is no question of fraudulent sale of ancestral property by the petitioners. The petitioners and co-sharers are entitled to their respective share of ancestral land. Petitioner no.1 has three brothers and three sisters. Learned Senior Counsel submitted that the matter can be resolved amicably among the brothers and sisters for which Mr. Anil Kumar Singh, learned counsel had held mediation between the parties in his Chambers and he is also of the opinion that the matter being purely civil in nature can be resolved amicably outside the Court.



5. He also informs that the Circle Officer, Jalalgarh, Purnea was also present in his Chambers and he has given details of the joint land held by the legal representatives and heirs of late Ram Gopal Rungta.

6. In this regard, learned counsel has also placed reliance upon the judgments of the Apex Court in case of **Devendra and others Versus State of Uttar Pradesh and another** reported in (2009) SCC 495; **Mohammed Ibrahim and others Versus State of Bihar and another** reported in (2009) 8 SCC 751 and **Randheer Singh Versus State of Uttar Pradesh and Others**, reported in (2021) 14 SCC 626.

7. Mr. Manindra Kishore Singh, learned counsel has tendered his appearance on behalf of the son of the informant. He informs that the informant has died on 06.01.2024. He is also of the opinion that the matter can be resolved outside the Court.

8. Learned APP has also supported the statement made by learned counsel appearing on behalf of the informant.

9. The petitioner no.1 is present in the Court and he is also of the considered view that he will participate to resolve the dispute by amicable settlement.

10. Heard the parties.



11. Having considered the rival submissions made on behalf of the parties, as well as, appreciating the steps taken by the petitioners and opposite parties including their family members, who have agreed to resolve the dispute amicably. The petitioner no.1 has parted with certain land belonging to the Khesra No.1231 measuring about 1.36 decimals of land out of total 4 acres and 16 decimals. The Circle Officer, who is present in the Court informs that he will take necessary legal steps to get all the requisite forms filled up for opening of *Jamabandi* in the names of the individual co-sharers in view of the recent drive which is being taken in the district of Purnia by the Revenue and Land Reforms Department, Government of Bihar. He undertakes that he will take all necessary steps in accordance with law and see that the *jamabandi* is opened in the names of the all those who are interested in the property belonging to late Ram Gopal Rungta within two weeks. He seeks cooperation of the petitioners and legal representative/s of opposite party no.2 in this regard to provide necessary information regarding their family members who are entitled for the share in the property of late Ram Gopal Rungta.

12. In view of the agreed development which has taken place and the matter being purely civil in nature, which



can be resolved outside the court by way of mediation between the parties and for which, the parties have agreed. The present petition stands disposed of

13. This Court appreciates the effort taken by Mr. Anil Kumar Singh, learned counsel and Mr. Saket Gupta, learned counsel who have assisted this Court and have also taken keen interest in resolving the dispute between the parties.

(Purnendu Singh, J)

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