

Arising Out of PS. Case No.-207 Year-2015 Thana- KOTWALI District- Patna

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s	:	Mr. Ambuj Nayan Chaubey, Advocate
For the State	:	Mr. Akshay Lal Pandit, A.P.P.
For the Informant	:	Mr. Deepak Kumar, Advocate

12 01-08-2025

1. Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel appearing on behalf of the informant.

2. Learned counsel appearing on behalf of the petitioner
submits that the case is squarely covered by an order of this Court dated
01.08.2025 in Cr. Misc. No. 6941 of 2016. It is further submitted that
the only difference in the instant quashing application and in Cr. Misc.
No. 6941 of 2016 is that petitioner of the present quashing application is



the builder who also came to be implicated along with the petitioners of Cr. Misc. No. 6941 of 2016 who are claiming to be land owners. It is next submitted that the order of cognizance against the petitioners of Cr. Misc. No. 6941 of 2016 has been quashed and since the case of the petitioner is also on a similar footing rather on a better footing than petitioners of Cr. Misc. No. 6941 of 2016, as such, learned counsel prays that the order taking cognizance against the petitioner be also quashed.

3. Learned counsel appearing on behalf of the informant is not a position to rebut the submissions made by the learned counsel appearing on behalf of the petitioner.

4. After hearing the learned counsel for the parties and taking into consideration the order dated 01.08.2025, passed in Cr. Misc. No. 6941 of 2016, the order dated 10.11.2015 passed by the learned Chief Judicial Magistrate, Patna in Kotwali P.S. Case No. 207 of 2015, GR No. 2620 of 2015, whereby cognizance has been taken under Sections 448, 380, 506 and 34 of the Indian Penal Code against the petitioner, is hereby set aside.

5. Accordingly, the instant quashing application is allowed.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

