IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53729 of 2019

Arising Out of PS. Case No.-563 Year-2014 Thana- BETTIAH CITY District- West Champaran

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1. RAHUL BAJAJ Son of Kamal Nayan Bajaj Resident of C/o Bajaj Auto Ltd, Akurdi, Pune- 411035, P.S.- Nigadi, Pune.
2. Rajiv Bajaj Son of Rahul Bajaj Resident of C/o Bajaj Auto Ltd, Akurdi, Pune- 411035, P.S.- Nigadi, Pune.

... ... Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Suman Singh Son of Late Prem Chander Singh Resident of Village and P.O.- Berriya, P.S.- Ramgadhwa, District- East Champaran, Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Shama Sinha
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

5 06-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. Despite valid service of notice no one appears on behalf of the O.P. No.2.

3. At the outset, learned counsel for the petitioner filed a supplementary affidavit which has been kept on record.

4. Learned counsel for the petitioner submits that the petitioner no.1 has passed away, therefore, his application has become infructuous. The present application survives only with regard to the petitioner no.2.

5. This is an application filed for quashing of Bettia

(Town) P.S. Case No.563 of 2014, dated 30.09.2014, registered pursuant to the order dated 20.06.2014, passed by learned Chief Judicial Magistrate, Bettiah, West Champaran in Complaint Case No.1130(C)/2014 for the offences punishable under Sections 384, 406, 420, 467, 468, 504, 506, 34 of the Indian Penal Code and for quashing of the order dated 20.06.2014 passed by Chief Judicial Magistrate, Bettiah, West Champaran under Section 156(3) of Cr.PC in Complaint Case No.1130(C) of 2014 and for any other relief to which the petitioner is found entitled to in the facts of the case.

6. The present case outlines a complaint filed by one Suman Singh, former Bajaj Company Dealer in Bettiah bearing Case No.1130(C)/14 against the Chairman, Managing Director, General Manager, and other senior officials of the Company. Suman Singh, who was a dealer in the said company from 19.12.2012 to 31.09.2015, allegedly filed the complaint with malicious intent. The same was filed without following proper legal procedures, such as approaching the police or providing an affidavit as required by law. The complaint alleges that Suman Singh was unemployed and seeking business opportunities, when he found an advertisement in Dainik Jagaran Newspaper on 26.11.2010, for a Bajaj Dealership in

Bettiah. He contacted the provided contact number and met the petitioners.

7. The petitioners assured the complainant that he would be the sole dealer in Bettiah as he has space for constructing a workshop. They also allegedly promised a lifelong association with their dealership and financial support through Bajaj Auto Finance Limited (B.F.L). The complainant claims that he was not told that minimal investment was needed and in this manner on the assurance of the petitioner, the complainant submitted his application.

8. The accused persons conducted survey and interview in Bettiah and after selection, the company gave him letter of intent dated 12.01.2011. Thereafter, on demand, complainant gave a bank guarantee of Rs.50 lakh in favour of the accused persons. The complainant also spent Rs. 5 Crores for construction of building and other works under the influence of the accused persons.

9. It is alleged by the complainant that he was given appointment for a period of three months only i.e. from 19.12.2012 to 31.03.2013 and when he enquired about the same then appointment from 01.04.2013 to 31.03.2015 was issued in his favour with assurance that it was just a formality and his dealership will keep on extending from time to time. The complainant also gave bank guarantee of Rs.46.50 Lakh for the period of 22.08.2013 to 20.08.2014 but inspite of this the accused persons stopped the delivery of two wheelers and again the co-accused persons, namely, Sagar J. Talewar and Jagganath Yadav pressurized him for bank guarantee of Rs.50 Lakhs for delivery of the vehicles.

10. Even after giving bank guarantee of Rs.1.10 Crores, the complainant was harassed by the accused persons on the pretext of credit limit. Without any prior information the billing was stopped in August 2013. The facility of Bajaj Auto Finance Limited was also not provided to the complainant. In this manner the accused persons have committed fraud with the complainant.

11. It is alleged that on 06.05.2014 Sagar J. Talewar and Jagganath Yadav visited his Bettiah establishment and demanded Rs.1 Crore and threatened otherwise to end the dealership of the complainant. The accused persons demaned two blank signed cheques if he wanted to save his dealership upon which 300 vehicles were about to be sent to him for sale.

12. The complainant signed two blank cheques under the threat of losing his dealership but despite of that vehicles were not being sent to him. Upon enquiry about the same, the accused persons denied about any such incident or blank cheques.

13. The complaint of the complainant was forwarded by the Chief Judicial Magistrate, Bettiah to Thana Incharge, Bettiah vide order dated 28.06.2014 under Section 156(3) of Cr.PC for registration of FIR under Section 384, 406, 420, 467, 468, 504, 506, 34 of the Indian Penal Code. The complaint was registered as Bettiah Nagar P.S. Case No.563 of 2014.

14. Mrs. Shama Sinha, learned counsel for the petitioner submits that Bajaj Auto Ltd. is a company registered under the provisions of Indian Companies Act, 1956 having its registered Office at Akurdi, Pune, Maharashtra. The company is into automobile manufacturing and its turnover is of about Rs.35,000/- Crores. Petitioner is Managing Director of Bajaj Auto Ltd. He has no role in day to day activities of the company. He is responsible for attending Board meetings for the Company.

15. The complainant is an ex-dealer of Bajaj Auto Limited. His firm was appointed as a dealer of the Company on 19.12.2012 for the period of three months which was renewed subsequently through his partnership firm, namely, Prem Automobiles after following the process of advertisement, scrutiny of his application, survey and interview as per the company policy. The complainant's firm was allotted dealership no.11516. The dealership of the complainant was extended from time to time by fresh agreement, last time it was extended by fresh agreement on 17.03.2025 till 30.09.2015. The said dealership was governed by the terms and conditions mentioned in the letter of appointment and dealership agreement. Clause 'V' with respect to jurisdiction in no unambiguous terms states that all dispute shall be subject to jurisdiction of the Court of City of Pune. The same is quoted herein below:-

> *"Since the allotment of vehicles to you is made from Pune, this letter of appointment as Dealer will be effective only after receipt of your confirmation by us at Pune, any dispute arising out of or incidental to this appointment letter and terms and conditions mentioned herein, shall be subject to jurisdiction of the Court of City of Pune, Maharashtra only."*

16. The Company or its officials had never gave any assurance to the applicant for taking/offering dealership as alleged by the complainant. All the terms and conditions of dealership are stipulated in the agreement, which is duly signed by both the parties. It is only the network team, marketing team & President Motorcycle of the Company who appoint, manage and take call for termination of dealership across India and that the Chairman & MD are not even connected to any dealership issues, affairs, appointment and termination activity.

17. There was no such agreement between the complainant and the petitioner which assures that the O.P. No.2 would be the sole dealer of the Bajaj Auto Ltd. at Bettiah Town for life. The O.P. No.2's firm was not able to handle the responsibilities of a dealer in terms of the agreement. His firm violated the terms of agreement and for which the Company had sent mails to his partnership firm from time to time. The O.P. No.2 had apprehension that his dealership will be terminated as he had violated the terms of agreement and committed several breaches of the terms of agreement. Due to this apprehension he filed this false case against the petitioner and other officials of the Company. Even after the complaint was filed, the O.P. No.2 signed minutes of Meeting on July 7, 2014, at Bajaj Auto Pune Office, acknowledging the dues to be paid to the Company related to non-performance. The O.P. No.2 is accused of making improbable and absurd allegations against the Company's officials while simultaneously seeking their cooperation to revive his dealership.

18. The Company and its officials had no knowledge of the complaint against them. The Managing Director does not handle dealership issues directly, but rather a specific team following established protocols does. Despite the false litigation, the Company assisted the O.P. No.2's firm in reviving its dealership, following company policy for which the O.P. No.2 expressed gratitude towards the company in an e-mail dated 04.09.2014 i.e. after filing the complaint on 20.06.2014. The said e-mail emphasized that the O.P. No.2 did not have any complaints against the company or its officials but instead showed appreciation and requested further support.

19. The allegation of the O.P. No.2 that money favour was demanded by Bajaj marketing/sales officer is false and the same is unsupported by evidence. He has not provided any proof to support his allegation. It is pertinent to mention that neither stamp paper nor blank cheques were taken from the O.P. No.2 nor they were used against him. If the company possessed the alleged cheques, he would have pursued a case under Section 138 of the Negotiable Instruments Act for quicker recovery of the outstanding amount instead of filing a civil suit in Pune.

20. It is further submitted that despite full cooperation from the company, the O.P. No.2 failed to manage the business effectively or clear outstanding dues. Furthermore, the complainant allegedly did not provide C forms for Q4 FY 2014-15, causing financial loss to the company. The dealership was terminated due to the natural expiry of the term and unsatisfactory performance, which led to business loss and market share decline. Subsequently, the company lawfully invoked the bank guarantee and filed a Special Civil Suit No.1090 of 2015 before the Civil Judge Senior Division, Pune for recovery of balance outstanding dues and other reliefs. A recovery proceeding is pending against the respondent. The Civil Judge Senior Division, Pune vide order dated 31.08.2015 was pleased to grant ex-parte temporary injunction to the Company and issued summons to the O.P. No.2 but he chose not to appear before him. Thereafter, the learned Court proceeded ex-parte in Civil Suit No.1090 of 2015.

21. It is further argued that the Company gained knowledge about the present case in the late 2018. A police official from Bettiah Town Police Station contacted the company's regional office in Patna regarding the ongoing case. The same prompted the Patna Office to inform the company's legal department in Pune, which then verified the case details and notified the petitioner. Petitioner was shocked to learn that a disgruntled ex-dealer had filed an FIR against him.

22. The present FIR was registered by the order passed under Section 156(3) of Cr.PC by the Magistrate. The Magistrate did not appropriately consider the facts before ordering the FIR, acting mechanically and failing to apply judicial mind. The complainant did not follow proper procedure under Section 154(3) of Cr.PC, and the complaint lacked an affidavit as required by the Supreme Court in the case of ***Priyanka Srivastava and Anr. Vs. State of Uttar Pradesh and Ors.*** reported in ***(2015) 6 SCC 287***. It states that the Magistrate passed the order on 20.06.2014 which was against the law established by the Supreme Court.

23. It is next submitted that the allegations made by the O.P. No.2 arises out of an agreement between the Company and O.P. No.2's firm. The allegations are primarily against the company as a legal entity and are vague. The company itself has not been named as an accused party, suggesting the allegations are restricted to the Chairman, Managing Director, and other senior officials. The Chairman, Managing Director have no role in the day-to-day operations of the dealerships, including appointments and terminations, nor are they involved in the company's daily functioning. The F.I.R. was filed with malicious intent by the O.P. No.2 to harass, blackmail and defame the petitioner and to prevent the company from taking any legal action. The O.P. No.2, a former dealer, abused the legal process by concealing the facts while he was still dealer of the company and that the case was filed with ulterior motives to blackmail the company.

24. The allegations made by the O.P. No.2 are commercial/civil in nature, stemming from an agreement/ contract, and do not constitute a criminal offense. Issues like bank guarantees for vehicle delivery and account settlement with Bajaj Finance Limited (BFL) are cited as examples of commercial/civil matters. The B.F.L. is a separate legal entity that provides financing based on the dealer's credit rating and selection process. So far as the offence of criminal breach of trust is concerned, Section 405 of the Indian Penal Code defines criminal breach of trust envisages entrustment of property to the accused, which is missing in the present case.

25. Learned counsel for the petitioner, in support of the argument made on behalf of the petitioner, has relied upon several judgments of Hon'ble Supreme Court passed in the cases of ***Priyanka Srivastava and Anr. Vs. State of Uttar Pradesh and Ors. (Supra), Pepsi Foods Ltd. v. Special Judicial Magistrate (1998) 5 SCC 749, Delhi Race Club (1940) Ltd. v. State of U.P., (2024) 10 SCC 690***., ***State of Haryana Vs. Ch. Bhajan Lal & Others*** reported in ***AIR 1992 SC 604., R Kalyani v. Janak C. Mehta and others*** reported as ***(2009) 1 SCC 516.***

26. Learned counsel for the State has supported the prosecution case and has submitted that the cognizance order should not be quashed at this stage as prima facie case is made out against the petitioner.

27. From the records, it appears that the petitioner no. 02 is the Managing Director of the M/s Bajaj Auto Limited, Pune and there is not direct allegation against them. It is an admitted fact that the informant entered into an agreement with M/s Bajaj Auto Limited, Pune in the year 2011 for dealership of the same and subsequently the company has granted him dealership. When the business of the informant was not going on properly then the parties communicated with each other and the informant, being apprehended of the fact that the agreement will be terminated this complaint case has been registered at Bettiah which was referred for registration of FIR under Section 156(3) of the Cr.P.C. and pursuant to the same, Bettiah City P.S.

Case No. 563 of 2014 has been registered.

28. The following contentions are made on behalf of the petitioner no. 02:-

(i). The procedure for registration of FIR under Section 156(3) of the Cr.P.C. has not been complied with under Section 154(1) of the Cr.P.C. the registration of FIR is in teeth of the law laid down by the Hon'ble Supreme Court in the case of ***Priyanka Srivastava and Anr. Vs State of UP (Supra).***

(ii). No offence is made out against the petitioner no. 02 as he is the Managing Director of the company and the company has not been made a party in this case which is in the teeth of the Judgment of Hon'ble Supreme Court in the case of ***R Kalyani v. Janak C. Mehta and others (Supra).***

(iii). From the reading of the FIR, no offence as alleged under Section 384, 420, 467, 468, 504, 506/34 of the Indian Penal Code is made out against the petitioner no. 02.

(iv). From the allegation levelled in the FIR, it is clear that a case of purely civil/commercial dispute which is already pending between the parties at Pune has been given a colour of criminal case and the same is in the teeth of the Judgment of Hon'ble Supreme Court in the case of ***Indian Oil Corporation Versus NEPC India Ltd reported in (2006) 6 SCC 736.***

(v). The order taking cognizance is without any application of mind and is in the teeth of the law laid down by the Hon'ble Supreme Court in the case of ***Pepsi***

Foods Ltd. v. Special Judicial Magistrate (Supra) and in the case of Delhi Race Club (1940) Ltd. v. State of U.P. (Supra).

(vi). The prosecution of the petitioner no. 02 is a *mala fide* prosecution and the same has been launched with a view to wreak vengeance upon the petitioner no. 02 because of the pending civil/commercial dispute between the parties and the same is in the teeth of the judgment of the Hon'ble Supreme Court in the case of ***State of Haryana Vs. Ch. Bhajan Lal & Others (Supra).***

29. I have heard and considered the submission of the parties.

30. The contention of the petitioner no. 02 that the procedure for registration of FIR under Section 156(3) of the Cr.P.C. has not been complied with under Section 154(1) of the Cr.P.C., the same is in the teeth of the law laid down by the Hon'ble Supreme Court in the case of ***Priyanka Srivastava and Anr. Vs State of UP (Supra)*** and the relevant paragraph of the same reads as under:-

> *30. In our considered opinion, a stage has come in this country where Section 156(3) CrPC applications are to be supported by an affidavit duly sworn by the applicant who seeks the invocation of the jurisdiction of the Magistrate. That apart, in an appropriate case, the learned Magistrate would be well advised to verify the truth and also can verify the veracity of the allegations. This affidavit can make the applicant*

more responsible. We are compelled to say so as such kind of applications are being filed in a routine manner without taking any responsibility whatsoever only to harass certain persons. That apart, it becomes more disturbing and alarming when one tries to pick up people who are passing orders under a statutory provision which can be challenged under the framework of the said Act or under Article 226 of the Constitution of India. But it cannot be done to take undue advantage in a criminal court as if somebody is determined to settle the scores.

31. We have already indicated that there has to be prior applications under Sections 154(1) and 154(3) while filing a petition under Section 156(3). Both the aspects should be clearly spelt out in the application and necessary documents to that effect shall be filed. The warrant for giving a direction that an application under Section 156(3) be supported by an affidavit is so that the person making the application should be conscious and also endeavour to see that no false affidavit is made. It is because once an affidavit is found to be false, he will be liable for prosecution in accordance with law. This will deter him to casually invoke the authority of the Magistrate under Section 156(3). That apart, we have already stated that the veracity of the same can also be verified by the learned Magistrate, regard being had to the nature of allegations of the case. We are compelled to say so as a number of cases pertaining to fiscal sphere, matrimonial dispute/family disputes, commercial offences, medical negligence cases, corruption cases and the cases where there is abnormal delay/laches in initiating criminal prosecution, as are illustrated in Lalita Kumari [(2014) 2 SCC 1: (2014) 1 SCC (Cri) 524] are being filed. That apart, the learned

Magistrate would also be aware of the delay in lodging of the FIR"

31. The contention of the petitioner no. 02 that no offence is made out against the petitioner no. 02 as he is the Managing Director of the company and the company has not been made a party, the same is in teeth of the law laid down by the Hon'ble Supreme Court in the case of ***R Kalyani v. Janak C. Mehta and others (Supra)*** in which it has been held by the Hon'ble Supreme Court that a person has to be proceeded with as being vicariously liable for the act of the company, the company must be made an accused in the case and the relevant paragraph of the aforesaid judgment is quoted below:-

> *41. If a person, thus, has to be proceeded with as being variously liable for the acts of the company, the company must be made an accused. In any event, it would be a fair thing to do so, as legal fiction is raised both against the Company as well as the person responsible for the acts of the Company.*

32. The contention of the petitioner no. 02 that from the reading of the FIR, no offence as alleged under Section 384, 420, 467, 468, 504, 506/34 of the Indian Penal Code is made out against the petitioner no. 02 is concerned, I am of the view that to constitute an offence under Section 420 of the Indian Penal Code, there are three main ingredients i.e.

> *(i) To deceive any person having intention to*

cheat from the very beginning.

(ii) Fraudulently or dishonestly inducing the person so deceived to deliver any property to any person.

(iii) To consent that nay person shall retain any property.

33. The allegations made by the O.P. No.2 do not fulfill the conditions to make out the offence of cheating. There is no whisper in the allegations with regard to the offence of extortion under Section 384 of the Indian Penal Code. The important elements of extortion are:-

(i) The accused must instill fear of injury in the person or any other individual.

(ii) The act of instilling fear must be intentional.

(iii) The accused must induce the person in fear to relinquish property or valuable security.

(iv) Such inducement must be done dishonestly.

34. The entire complaint would further disclose that there is no whisper in the complaint with regard to the offence under Section 504 of the Indian Penal Code. The main ingredients of offence under Section 504 IPC are:

(i) Intentional insult.

(ii) The insult must be such as to give provocation to the person insulted.

(iii) Intention that such provocation should cause, or knowledge that such provocation was likely to cause, the person so insulted to break the public peace or commit any other offence.

35. It is further stated that the necessary conditions for forgery under Sections 467 and 468 of Indian Penal Code are not met because there is no claim that the petitioner created or used a false document. Further, the O.P. No.2 has not demonstrated any criminal intent arising from the contractual agreement between the parties, which existed from December 19, 2012 to September 30, 2015. The O.P. No.2 is allegedly misusing the judicial process to gain an advantage and acting with ulterior motives. They are also accused of avoiding appearance in Pune Court regarding Special Civil Suit No.1090 of 2015 for the recovery of outstanding dues to the petitioner's company.

36. It is also stated that the allegations in the FIR, even if accepted as true, do not constitute an offence warranting his prosecution. There is no reason for him to threaten the O.P. No.2 because their business dealings are governed by an agreement with the company. The petitioner describes the allegations as absurd and improbable, arguing that no reasonable person would find sufficient grounds to proceed against him.

37. The contention of the petitioner no. 02 that from the allegation levelled in the FIR, it is clear that a case of purely civil/commercial dispute which is already pending between the parties at Pune has been given a colour of criminal case and the same is in the teeth of the Judgment of Hon'ble Supreme Court in the case of ***Indian Oil Corporation Versus NEPC India Ltd reported in (2006) 6 SCC 736*** and the relevant paragraph of the same is quoted below:-

> *"It is necessary to take notice of a growing tendency in business Circles to convert purely Civil disputes into Criminal Cases. This is obviously on account of a prevalent impression that Civil law remedies are time consuming and do not adequately protects the interests of lenders/creditors Such a tendency is seen in several family disputes also, leading to irretrievable break down of marriages/families There is also an impression that if a person could somehow be entangled in a criminal prosecution, there is likelihood of imminent settlement. Any efforts to settle Civil disputes and Claim, which do not involve any Criminal offence, by applying pressure through Criminal prosecution should be deprecated and discouraged."*

38. The contention of the petitioner no. 02 that the order taking cognizance is without any application of mind and is in the teeth of the law laid down by the Hon'ble Supreme Court in the case of ***Pepsi Foods Ltd. v. Special Judicial Magistrate (Supra) and in the case of Delhi Race Club (1940) Ltd. v. State of U.P.(Supra) and the relevant paragraph of Pepsi Foods Ltd. v. Special Judicial Magistrate (Supra)*** has held as follows:-

> *"Summoning of an accused in a criminal case is a serious matter. Criminal law cannot be set into motion as a matter of course. It is not that the complainant has to bring only two witnesses to support*

his allegations in the complaint to have the criminal law set into motion. The order of the Magistrate summoning the accused must reflect that he has applied his mind to the facts of the case and the law applicable thereto. He has to examine the nature of allegations made in the complaint and the evidence both oral and documentary in support thereof and would that be sufficient for the complainant to succeed in bringing charge on to the accused. It is not that the Magistrate is a silent spectator at the time of recording of preliminary evidence before summoning of the accused. The Magistrate has to carefully scrutinize the evidence brought on record and may even himself put questions to the complainant and his witnesses to elicit answers to find out the truthfulness of the allegations or otherwise and then examine if any offence is prima facie committed by all or any of the accused."

39. The Hon'ble Supreme Court in the case of ***Delhi Race Club (1940) Ltd. v. State of U.P. (Supra)*** has held as under:

"30. The aforesaid aspect could be said to have been completely lost sight of by the High Court, while rejecting the application filed by the appellant herein under Section 482CrPC, seeking quashing of the summoning order.

31. In Mehmood Ul Rehman v. Khazir Mohammad Tunda [Mehmood Ul Rehman v. Khazir Mohammad Tunda, (2015) 12 SCC 420 : (2016) 1 SCC (Cri) 124] , this Court held thus : (SCC p. 430, para 22)

"22. ... The satisfaction on the ground for proceeding would mean that the facts alleged in the complaint would constitute an offence, and when considered along with the statements recorded, would, prima facie, make the accused answerable before the court. ... In other words, the Magistrate is not to act as a post office in taking cognizance of each and every complaint filed before him and issue process as a

matter of course. There must be sufficient indication in the order passed by the Magistrate that he is satisfied that the allegations in the complaint constitute an offence and when considered along with the statements recorded and the result of inquiry or report of investigation under Section 202 CrPC, if any, the accused is answerable before the criminal court, there is ground for proceeding against the accused under Section 204 CrPC, by issuing process for appearance. Application of mind is best demonstrated by disclosure of mind on the satisfaction. ... To be called to appear before the criminal court as an accused is serious matter affecting one's dignity, self-respect and image in society. Hence, the process of criminal court shall not be made a weapon of harassment."

(emphasis supplied)

32. The principle of law discernible from the aforesaid decision is that issuance of summons is a serious matter and, therefore, should not be done mechanically and it should be done only upon satisfaction on the ground for proceeding further in the matter against a person concerned based on the materials collected during the inquiry.

40. The contention of the petitioner no. 02 that the present prosecution is a mala fide prosecution and the same has been launched with a view to wreak vengeance upon the petitioner no. 02 because of the pending civil/commercial dispute between the parties, the same is in the teeth of the judgment of the Hon’ble Supreme Court in the case of ***State of Haryana Vs. Ch. Bhajan Lal & Others (Supra) and the relevant paragraph has been quoted below:-***

(7) "where a criminal proceeding is manifestly attended with malafides and/or where the proceeding is maliciously instituted with an ulterior motive for

wreaking vengeance on the accused and with a view to spite him due to private and personal grudge"

41. In view of the above discussions and in view of the judgments of the Hon’ble Supreme Court, I am of the view that the present mala fide prosecution has been initiated by the informant once when he apprehended cancellation of his dealership. There is no allegation levelled against the petitioner no. 02, who is the Managing Director of M/s Bajaj Auto Limited, Pune and the informant cannot be allowed to initiate criminal proceedings which is to presurrize the company for extorting money and resumption of his agency. From the reading of the FIR and other materials on record, no offence under Sections 384, 406, 420, 467, 468, 504, 506, 34 of the Indian Penal Court are made out against the petitioner.

42. Accordingly, the present application is allowed and the FIR bearing Bettiah Town/Bettiah City P.S. Case No. 563 of 2014 is hereby quashed.

(Sandeep Kumar, J)

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