IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61754 of 2026

CNR No. BRHC010862582026

Arising Out of PS. Case No.-591 Year-2020 Thana- COMPLAINT CASE - PATNA CITY District- Patna

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Sumit Tele @ Sumit Sudhakar Tale Son of Sudhakar Tele R/o- Deonagar (Sawarnker Nagar), Bus Stop Plot No. 17, Mishar Complex, P.S.- Baizar Nagar, District- Nagpur, State- Maharastra, Pin- 440015.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Anshu Raj Son of Rameshwar Singh R/o- Maharajganj, P.S.- Alam Ganj, District- Patna.

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar Sharma, Advocate
For the State	:	Mr. Satya Nand Shukla, APP
For the Opposite Party	:	Mr. Anupam Bahadur, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL JUDGMENT
Date : 19-11-2026

Heard Mr. Saroj Kumar Sharma, learned counsel for the petitioner, Mr. Anupam Bahadur, learned counsel for the opposite party no. 2 and learned counsel for the State.

2. This application has been filed for quashing the cognizance order dated 08.08.2022, passed by learned Judicial Magistrate 1st Class, Patna City, in connection with Complaint Case No. 591 of 2020 whereby and whereunder cognizance has been taken against the petitioner for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. As per the prosecution case, there was transaction to the tune of Rs. 26,50,000/- between complainant and the petitioner

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as there was business transactions between them and the terms of agreement was not complied by the petitioner.

4. Learned counsel for the parties have submitted that the parties have settled their dispute outside the Court without any threat or any coercion, when a memorandum of agreement was prepared between the parties before Patna High Court Mediation Centre by agreement dated 22.01.2025. It has further been submitted that the parties agreed to settle their dispute after payment of Rs. 13,00,000/- and it has been duly paid to opposite party no. 2. It has further been submitted that the offences, under which the cognizance has been taken, are compoundable. Learned counsel for the petitioner has further been relied upon the judgment of the **Hon'ble Supreme Court of India,** passed in S.L.P. (CRL.) No. 19102 of 2026 in the case of ***Abhishek Dutt versus State of Madhya Pradesh,*** dated 13.10.2026 and has referred to Paragraph 8 and 9 thereof, which is reproduced here:-

> *8. Before the High Court and in this Court as well, the complainant has made a categorical statement that the disputes have been settled between the parties and the FIR should be quashed. The dispute between the parties is a purely private one arising from monetary transactions.*
>
> *9. In this background, we are of the view that there was no reason whatsoever for the High Court to have relegated the parties to the trial Court for moving an application for compounding of the*

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offences. Rejection of the quashing petition under Section 528 of the BNSS and directing the parties to move the trial Court in spite of the settlement duly verified by the Registrar of High Court was not justified in view of the judgment of this Court in case of Gian Singh vs. State of Punjab and Anr., [2012] 10 SCC 303 Once, the High Court itself recorded the fact that the parties had voluntarily arrived at a compromise, it was a fit case for exercise of extraordinary powers of the Court to quash the proceedings.

5. In view of such and the parties having been settled their dispute and the dispute is purely private one arising from monetary transaction, resultantly the impugned order taking cognizance dated 08.08.2022, passed by learned Judicial Magistrate 1st Class, Patna City, in connection with Complaint Case No. 591 of 2020 is hereby quashed.

6. This application stands allowed.

(Praveen Kumar, J)

Sahil/-

AFR/NAFR	NAFR
CAV DATE	NA
Date of Pronouncement	19.11.2026
Uploading Date	20.11.2026
Transmission Date	20.11.2026

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