

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65649 of 2019

Arising Out of PS. Case No.-24 Year-2018 Thana- COMPLAINT CASE District- Sheohar

DIGVIJAY PRATAP SINGH Son of Late Mangal Prasad Singh Resident of
Village-Madhampur Chhata, P.S.-Hiramda, District-Sheohar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sudhir Kumar Singh Son of Late Chandeshwar Singh Resident of Village-
Madhopur Chhata, P.S.-Hiramda, District-Sheohar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 29-01-2026 Heard the parties. None appears on behalf of the
opposite party no. 02 despite valid service of notice.

2. This application has been filed for quashing the
order dated 03.07.2019 passed in Complaint Case No. 24 of
2018 by the learned Chief Judicial Magistrate, Sheohar.

3. As per the prosecution case, the opposite party no.
02 has given Rs. 35,000/- to the landlord Uday Pratap Singh
(who was the elder brother of the petitioner and now dead) for
transferring a piece of land. Uday Pratap Singh had promised
the opposite party no. 02 that he will execute the sale deed but it
is alleged against the petitioner that he, after the death of his
elder brother, has dishonestly transferred the said piece of land



to accused no. 2 and 3.

4. Upon perusal of the complaint case, it appears that the alleged amount was given to the elder brother of the petitioner and not the petitioner and the present prosecution, appears to be mala fide one only to wreak vengeance from the petitioner as he is in politics and ex-member of the Legislative Assembly of Belsandi constituency.

5. In view of the aforesaid and also in view of the judgment of the Hon'ble Supreme Court in the case of *State of Haryana Vs. Bhajan Lal reported in 1992 Supp (1) SCC 335*, this application is allowed.

6. Accordingly, the order dated 03.07.2019 passed in Complaint Case No. 24 of 2018 by the learned Chief Judicial Magistrate, Shohar, is hereby quashed.

(Sandeep Kumar, J)

Vikas/-

U			
---	--	--	--

