

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79334 of 2023

Arising Out of PS. Case No.-1225 Year-2023 Thana- DANAPUR District- Patna

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1. NAYEEM AKHTAR S/O MD. TAJAMMUL HUSSAIN R/O 4E, NAMASKAAR APARTMENT, PATLIPITRA COLONY, PATNA BIHAR
 2. NAWEES AKHTER S/O MD. NAYEEM AKHTER 4E, NAMASKAAR APARTMENT, PATLIPUTRA COLONY, PATNA BIHAR

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. KAUSHAL KISHORE SINGH S/O LATE RAJENDRA SINGH VILLAGE NOHANI, P.O AND P.S PARIHAR, DISTRICT SITAMARHI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saba Ashfaque, Adv.
For the State : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 24-02-2026 Heard the learned counsel for the petitioner as well as the learned counsel for the complainant.

2. The present application has been preferred for quashing of the successive F.I.R., being Danapur P.S. Case No. 1225 of 2023 dated 14.09.2023, registered under Sections 420, 467, 468, 472, and 120B of the Indian Penal Code, 1860.

3. The informant, Kaushal Kishore Singh, is purchaser of the alleged vehicle, whereas the petitioners are Directors of M/s Zodiac Automobiles Pvt. Ltd. Company. According to the assurance given to the complainant, the company had to insure the vehicle. The handed-over vehicle was insured by the



company through Cover Note No. B171602/Motor Vehicle Insurance Cover Note No. 354130, which was later detected to be a forged cover note. On the basis of the written report, Danapur P.S. Case No. 827 of 2018 (first FIR) was registered.

4. Learned counsel for the petitioner has submitted that the informant has filed second F.I.R., i.e., Danapur P.S. Case No. 1225 of 2023, with similar allegations. A prayer has been made to quash the second F.I.R., i.e., Danapur P.S. Case No. 1225 of 2023. It has been further submitted that despite the existence of the first F.I.R., the second F.I.R. with the same recitals is nothing but an abuse of the process of the Court and the continuation whereof should not be permitted.

5. On the other hand, learned counsel for the complainant has submitted that the cause of action of the first F.I.R. and the second F.I.R. is different. The first F.I.R. was lodged on the ground that fake insurance cover note was fabricated and handed over to the complainant by the company, whereas in the present F.I.R. (Danapur P.S. Case No. 1225 of 2023), another cover note was prepared. He has further submitted that with intent to falsely implicate the complainant, the opposite parties had secured the registration number of the vehicle, i.e., Registration No. BR01PJ8041, on the basis of that



fake insurance cover note. Therefore, the cause of action of both the cases cannot be said to be one and the same.

6. The first F.I.R. was lodged with the allegation that the accused persons fabricated a fake insurance cover note, whereas in the subsequent F.I.R., the allegation is that they secured the registration number on the basis of the fake cover note with an intent to falsely implicate the complainant. The causes of action of both the cases are separate.

7. I do not think it to be a case of misuse of process of the court. Accordingly, this criminal miscellaneous petition is dismissed.

(Nawneet Kumar Pandey, J)

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