

IN THE HIGH COURT OF JHARKHAND, RANCHI

Cr. M.P. No. 177 of 2015

Dhaneshwar Prajapati Petitioner
Versus

1.The State of Jharkhand

2.Devendra Kumar Opp. Parties

CORAM: THE HON'BLE MR. JUSTICE PRASHANT KUMAR

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For the Petitioner : Mrs. Jasvinder Mazumdar, Advocate

For the State : Mr. Shekhar Sinha, A.P.P.

2/30.06.2015

This application has been filed for quashing the first information report pertaining to Sadar (Town) P.S. Case No. 87 of 2013, corresponding to G.R. No. 311 of 2013, under Sections 406/ 420/ 120B/34 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Palamau at Daltonganj.

It is submitted that from the allegations made in the first information report, offences under Sections 406/420/120B of the Indian Penal Code are not made out. It is further submitted that from the allegations it is clear that the liability of the petitioner is civil in nature and therefore on that ground also, F.I.R. may be quashed.

Having heard the submission, I have gone through the allegations made in the first information report. It is admitted position that the petitioner being a power of attorney holder of Laxmi Devi has executed a sale deed in favour of informant. However, it is alleged that said power of attorney had already been revoked by Laxmi Devi in the year 2010. It is alleged that petitioner knows that power of attorney has been revoked, but in spite of that he executed sale deed, thus, prima-facie offence under Section 420 IPC made out against him. In that view of the matter, I find no merit in this application.

Accordingly, this application is dismissed.

(Prashant Kumar, J.)