



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn. No. 48 of 2026

Date of order: 14.08.2026

Ashish Kumar Dwivedi

...Petitioner

- versus -

1. The State of Meghalaya represented by its Secretary, Home (Police) Department, Government of Meghalaya.
2. The Officer-in-Charge, Tura Women Police, Tura, West Garo Hills District, Meghalaya – 794001.
3. The investigating Officer, Tura Women Police Station, Tura, West Garo Hills District, Meghalaya – 794001.
4. Smti. Nitu Singh

...Respondents

Coram:

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice

Appearance:

For the Petitioner : Mr S. Sen, Adv.

For the Respondents : Mr. S. Sengupta, Addl PP with
Ms. S. Kh. Nongrum, GA
Mr. S. Chanda, Legal Aid Counsel [R4]

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| i) | Whether approved for reporting in Law journals etc.: | No |
| ii) | Whether approved for publication in press: | No |

JUDGMENT: (Oral)

By this petition, the petitioner seeks quashing of the impugned FIR dated 27.06.2024 filed by the respondent No. 4



with the Tura Women Police Station, being Tura Women P.S. Case No. 63(07) 2024 for the alleged offences punishable under Sections 354/354A(i) read with Section 34 of the IPC qua the petitioner.

2. Learned counsel for the petitioner states that initially, after registration of the FIR and after carrying out the investigation, the Police filed a closure report in the said case, however, the learned Magistrate directed re-investigation of the said FIR. He submits that since no case or ingredients of the alleged offences are disclosed qua the petitioner, investigation cannot be permitted to go on. He submits that continuation of the investigation despite no offence being disclosed qua the petitioner, is nothing but an abuse of the process of the law.

3. Mr. S. Sengupta, learned Addl PP has tendered a report of the Senior Inspector of the Women Tura Police Station, West Garo Hills, Tura dated 13.08.2026. From the said report, it appears that during the re-investigation, no sufficient evidence was found qua the petitioner substantiating the allegations of the complainant i.e., the respondent No. 4.



4. Having perused the FIR registered at the behest of the respondent No. 4 as well as the 164 statement of the said respondent, this Court finds no ingredients of any of the Sections as alleged by the respondent No. 4, i.e., allegations under Sections 354/354A(i) read with Section 34 of the IPC are disclosed qua the petitioner. Neither the learned Addl PP nor the learned counsel for the respondent No. 4, have been able to point out even an iota of evidence/material showing the complicity of the petitioner.

5. Thus, having regard to the judgment of the Apex Court in ***State of Haryana and Ors. v. Bhajan Lal & ors.*** reported in ***1992 Supp (1) SCC 335*** and taking the prosecution case as it stands, since no offences as alleged under any of the Sections are disclosed qua the petitioner, and also having regard to the report of the Investigating Officer the petition deserves to be allowed.

6. The petition is, accordingly allowed and the FIR registered with the Tura Women Police Station, being Tura Women P.S. Case No. 63(7) 2024 for the alleged offences punishable under



Sections 354/354A(i) read with Section 34 of the IPC qua the petitioner, stands quashed and set aside.

7. Petition stands disposed of accordingly.
8. All parties to act on the authenticated copy of this order.

(Revati Mohite Dere)
Chief Justice