

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.339 of 2012

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1. Narendra Kumar S/O Krishna Chandra Resident of Station Road
Motihari, at present residing at Shyam Nandan Road Chandralok Chowk,
P.S.- Kazi Mohammadpur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. Secretary Department of Home (Police), Government of Bihar, Patna
3. Director General of Police, Bihar, Patna
4. Inspector General of Police, Tirhut Range, Muzaffarpur
5. Superintendent of Police, Muzaffarpur
6. Deputy Superintendent of Police, Town, Muzaffarpur
7. Officer Incharge of Kaji Mohammadpur Police Station, District-
Muzaffarpur
8. Investigating Officer of Kaji Mohammadpur, P.S. Case No. 58/12
9. Harbansh Kaur W/O Late Krishna Lal Khurana Resident of
Shyamnandan Road Naya Tola, P.S.- Kaji Mohammadpur, District-
Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. A.K.Thakur, Adv.
For the State : Mr. Ranjay Kumar Singh, A.C. to SC16
For Respondent No.9 : Mr. Ajay Kumar Singh No.1, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

9 03-02-2015 Heard learned counsel for the petitioner, learned

counsel for the State as well as learned counsel for respondent

no.9.

By filing the present application under Articles 226
and 227 of the Constitution of India, the petitioner seeks quashing
of the First Information Report of Kaji Mohammadpur P.S.Case
No. 58 of 2012 registered for the offences punishable under
sections 420, 467, 468 and 471 of the Indian Penal Code. The

matter is under investigation.

Though it is an admitted fact that there is a civil dispute between the parties but the allegations made in the F.I.R. do constitute a cognizable offence.

Learned counsel for the petitioner has submitted that the allegations are malicious in nature. He submits that the prosecution has been launched just in order to get possession of the premises in question.

Be that as it may, in course of investigation into a cognizable offence, it is the job of the police to find out the correct fact regarding the veracity of the allegations.

In that view of the matter, I am not inclined to entertain the application at this stage. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J)

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