

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.662 of 2016

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1. Rampreet Singh, Son of Ramji Singh,
 2. Ruby Kumari @ Rubi Kumari Daughter of Late Laxman Singh,
 3. Vikash Kumar, son of Late Laxman Singh
 4. Sumitra Devi wife of Late Laxman Singh, petitioner Nos. 1 to 4 are resident of village- Sahpur Kasim, Police Station- Lalganj, District Vaishali
 5. Ashok Kumar @ Ashok, Son of Late Gopal Pandit, resident of village- Jinpura, P.S.- Bihta, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through, Superintendent of Police, Vaishali at Hajipur
2. The Sub-Divisional Prosecuting Officer, Hajipur at Hajipur, Dist- Vaishali
3. The Station Head Officer Lalganj Police Station at Lalganj, District- Vaishali
4. Harihar Singh, Son of Late Raja Ram Singh, Resident of village- Sahpur Kasim, P.S. Lalganj, District- Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni, Advocate

For the Respondent/s : Mr. Santosh Kumar Jha, GP-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 03-10-2016 Heard Mr. Rakesh Kumar, learned Counsel for the petitioners, and Mr. Santosh Kumar Jha, learned Government Pleader No.3, appearing on behalf of the State-respondents.

By making this application, made under Articles 226 and 227 of the Constitution of India, the petitioners, who are accused in Lalganj Police Station Case No.261 of 2015, seek quashing of the First Information Report, which led to the registration of the case aforementioned, on the ground that the

alleged victim was not a minor and had left her parental house out of her own volition and accord. The question as to whether the alleged victim was or was not a minor is a disputed question of fact, which cannot be decided in a writ petition under Articles 226 and 227 of the Constitution of India and, therefore, the First Information Report cannot be quashed at this stage.

In view of the above and in the interest of justice, I close this writ petition with liberty granted to the petitioner to approach this Court with appropriate application, in future, if so advised, and/or take recourse to such provisions of law as may be permissible.

(I.A. Ansari,CJ)

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