

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17278 of 2016

Arising Out of PS.Case No. -363 Year- 2014 Thana -KOTWALI District- PATNA

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Nirupam Srivastav & Ors.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 24-06-2016

The petitioners being the husband, parents,

brothers, sister, maternal sister and maternal uncle have preferred the present application for quashing of the First Information Report of Kotwali P.S. Case No. 363 of 2014 registered under Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that within three months of the marriage the present First Information Report has been lodged with malicious accusation and the relatives have been roped in the present case. The law is well settled that for quashing of the First Information Report proceeding of a cognizable offence can only be done when the accusation does not constitute the offence or prosecution is barred under certain law. The First Information Report was registered in 2014, but there is nothing on record to suggest the present stage of the proceeding.

Considering the nature of accusation, this Court is not inclined to interfere.

Accordingly, this application is disposed of with liberty to the petitioners to raise all the contentions at the appropriate stage.

(Dinesh Kumar Singh, J)

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