

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.77 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- BHOJPUR

1. Usha Anand W/o Shri Ashutosh Prasad @ Ravi r/o Bajarian PS. Sahar Distt. Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna, Old Secretariat, Patna.
2. Director General of Police, Bihar, Old Secretariat, Patna.
3. Superintendent of Police Ara Distt. Bhojpur, Ara.
4. Deputy Superintendent of Police, Piro, Distt. Bhojpur, Ara.
5. Inspector of Police, Agiaon, Distt Bhojpur, Ara.
6. Officer-in-charge Sahar P.S. Distt. Bhojpur.
7. Investigating Officer, Shabir Ahmad Khan PS Sadar Distt. Bhojpur.
8. Vimlesh Singh s/o Rajeshwar Pd. Singh r/o Bajarian PS. Sahar Distt. Bhojpur.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sheopujan Singh
Mr. Mukesh Kumar Singh
For the Respondent/s : Mr. Fayyaz Ahmad, A.C. to S.C. 3

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 18-05-2016

The petitioner has prayed for quashing of the first information report bearing Sahar P.S. Case No. 72 of 2015 dated 07.07.2015 for the offences under sections 147, 323, 324 and 379 of the Indian Penal Code.

2. The basis of the complaint, as per the informant, was that he was given beating by the petitioner and her family members on 07.07.2015 at about 5.00 P.M. when he was crossing the house of the petitioner in which he received injuries on the entire

body and also a sum of Rs.500/- was taken out from his pocket by co-accused Sudama Prasad.

3. In the counter affidavit filed on behalf of respondent no. 3, it is stated that after completion of investigation the police has submitted charge-sheet No. 110 of 2015 dated 31.08.2015 under sections 147, 323, 324, 379 and 504 of the Indian Penal Code. The petitioner is one of the accused although five persons are named therein.

4. Since investigation has already been completed and charge-sheet has been filed and the complaint discloses an offence, I do not find that any case is made out for quashing of the first information report. A first information report can be quashed only when on a bare reading of the complaint, no offence is made out but that inference is not possible on the basis of the first information report lodged in the case.

5. In view of the above, this writ petition is dismissed as no ground is made out for quashing of the F.I.R. in the present proceeding.

(Hemant Gupta, J)

Amin/-

U		T	
---	--	---	--