

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.303 of 2015

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

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Ranjan Kumar Ranjan son of Late Banarsi Rajak, resident of Mohalla - Naya Bazar, Ward No. 2, P.S. + District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through tThe Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. The Deputy Inspector General of Police, Saharsa.
4. The Superintendent of Police, Saharsa.
5. The Deputy Superintendent of Police, Simri Bakhtiyarpur, District - Saharsa.
6. The Station House Officer, Salkhua Police Station, District - Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Respondent/s : Mr. Manoj Kumar Ambastha, G.P.-14

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 25-01-2016

By way of the present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner seeks quashing of the first information report (for short “FIR”) in connection with Salkhua P.S. Case No.216 of 2013.

2. I have heard learned counsel for the petitioner and perused the allegations made in the FIR.

3. Initially, a complaint was filed under section 200 of the Code of Criminal Procedure (for short “CrPC). The said complaint was referred to the police by the learned Chief Judicial Magistrate, Saharsa, under section 156(3) CrPC for investigation pursuant to

which an FIR was registered under sections 466, 467, 468, 471, 193, 209, 420 and 120B of the Indian Penal Code.

4. Referring to certain documents annexed to this application, learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case.

5. The allegations made in the complaint do attract ingredients of a cognizable offence. Since the matter is still under investigation, the defence of the petitioner cannot be looked into by this Court for the purpose of quashing of the FIR.

6. In that view of the matter, I find no merit in this application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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