

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.72 of 2017

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Punam Devi, Wife of Mintu Kumar, Resident of Village - Barma, P.S. -
Sheikhpura, District - Sheikhpura. Petitioner

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bhagalpur Range, Bhagalpur.
4. The Deputy Inspector General of Police, Munger Division, Munger.
5. The Superintendent of Police, Sheikhpura.
6. The Police Inspector-cum-S.H.O. Sheikhpura Police Station, District -
Sheikhpura.
7. The S.H.O. Sirari Out Post, P.S. - Sheikhpura, District - Sheikhpura.
8. Guddu Singh, Son of Arun Singh
9. Sonu Kumar, Son of Arun Singh.
Both residents of Village - Barma, P.S.- Sheikhpura, District - Sheikhpura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Respondent/s : Mr. Sheo Shankar Prasad, S.C.8.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-11-2017

Heard learned counsel for the parties.

2. The petitioner has invoked the writ jurisdiction of this Court for issuance of a command to respondent Nos.2 to 5 to take appropriate action, against the respondent No.7, the Station House Officer of Sirari outpost lying within the Sheikhpura police station, for delayed institution of the F.I.R. on 21.10.2016 though the written complaint was submitted on 11.10.2016. The F.I.R. was lodged as Sheikhpura (Sirari) P.S. Case No. 314 of 2016.



3. According to F.I.R. initially the named accused came to the house of the informant and started abusing taking name of the husband of the informant who was not there. Subsequently, the accused persons allegedly outraged the modesty of the informant and others.

4. In the counter affidavit, the State-respondents have stated that the show cause was asked from the said Station House Officer wherein the Station House Officer has maintained that soon after filing of the written complaint, the accused also appeared alongwith some complaint against the informant and her husband and the informant requested to defer the registration of F.I.R. for the reason that the Mukhiya of a different Gram Panchayat had intervened for compromise between the parties.

5. The respondents have further stated that after the receipt of show cause, the enquiry of the matter was handed over to the Dy.S.P., Sheikhpura. The Dy.S.P., Sheikhpura submitted his report vide Annexure-C which will reveal that the occurrence was of simple assault, hence Gram Panchayat had also jurisdiction to entertain such complaint. Therefore, the act of the Station House Officer was not completely against the law.

6. Considering the action taken by the respondents in the matter as discussed above, no further direction is required in



this writ application.

7. Accordingly, it stands disposed of.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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