

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29385 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- BHOJPUR

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1. Usha Singh, wife of late Shivendra Narayan Singh, resident of New Chitragupt Nagar, P.S Patrakar Nagar, District Patna
 2. Archana @ Archana Singh, wife of late Sunil Kumar Singh @ Lutan Singh, resident of New Chitragupt Nagar, P.S Patrakar Nagar, District Patna
 3. Anjali Singh Chauhan wife of Rahul Singh, resident of M.I.G. Flat Kankarbagh, P.S. Kankarbagh, District Patna
 4. Vijay Kumar Singh @ Tutu Singh, son of Randhir Kumar Singh, resident of Dariyapur at Fatuha, P.S. Fatuha, District Patna

.... Petitioners

Versus

1. The State of Bihar
2. Smith Priya, daughter of Surendra Pd. Singh, resident of Rajendra Nagar, District Ara

.... Opposite Parties

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Appearance:

For the Petitioners	:	Mr. Ashok Kumar Singh, Sr. Advocate Ms. Manisha Singh, Advocate Mr. Prem Ranjan Raj, Advocate Mr. Shayam Nandan Thakur, Advocate
For the Opp. Party No.2	:	Mr. Aditya Narain Singh, Advocate
For the State	:	Mr. R.P. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-05-2017

Heard learned Senior Counsel for the petitioners, learned counsel for the opposite party no. 2 and learned APP for the State.

2. The present petition has been filed for quashing the order dated 29.01.2010 passed by the learned S.D.J.M., Bhojpur at Ara taking cognizance against the petitioners in Ara Nawada P.S. Case No. 249 of 2009/Tr. No. 2506 of 2010/G.R. No. 2394 of 2009 for the offences under Sections 498A, 494/34 of the Indian Penal Code.



3. At the very outset learned Senior Counsel Mr. Ashok Kumar Singh invites attention to impugned order dated 29.01.2010 by which cognizance has been taken only against co-accused Atul Kumar Singh and not against the petitioners. The said order of cognizance was passed on the basis of interim charge sheet, but final investigation was not yet complete at the relevant time. Learned Senior Counsel for the petitioners has not been able to point out that any final police report has since been submitted.

4. In the above view of the matter, this Court finds the present petition at the instance of the petitioners premature. The same is accordingly dismissed with liberty to the petitioners to approach once again, if the situation so warrants in future.

5. Let the lower Court records be returned to the Court below forthwith.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	17.05.,2017

