

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38711 of 2014

Arising Out of PS. Case No.-49 Year-2014 Thana- HARSIDHI District- East Champaran

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1. Rajiv Mishra @ Rajiv Kumar Mishra son of Amardeo Mishra
2. Premi Mishra, wife of Amardeo Mishra
Both resident of village-Hasuahan, P.S. Harsidhi, Distt. East Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Pallavi Kumari daughter of Bishal Mishra, resident of village-Hasuahan,
P.S. Harsidhi, Distt. East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

7 15-09-2017 Heard the parties.

The present petition has been preferred for quashing the F.I.R. registered in connection with Harsidih P.S. Case no. 49 of 2014 under Sections 498-A, 406, 323 and 354 of the Indian Penal Code.

On the basis of the complaint petition referred by the learned Magistrate an FIR was registered under Section 156(3) of the Code of Criminal Procedure which discloses commission of an cognizable offence which is still to be investigated by the police. The power to investigate cognizable offences lies exclusively in domain of police and should not be interfered by this Court in its inherent jurisdiction. The inherent power



conferred by Section 482 of the Code of Criminal Procedure
cannot be exercised to stifle a legitimate prosecution.

Accordingly, this application stands dismissed.

(S. Kumar, J)

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