

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.877 of 2016

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Rishav Mehta, Son of Sri Jayantilal Mehta, Resident of Mohalla- Patna City (Mehta Market), P.S.- Chowk, Patna City, District- Patna at present posted as Branch Manager, UCO Bank, Sanjat, Branch, P.S.- Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna.
2. The Superintendent of Police, Begusarai.
3. S.H.O. Town (Lohiya Nagar) Police Station- District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Adv.
For the State : Mr. Mrigendra Kumar, AC to GA-4
For the Informant : Mr. Surendra Kishore Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 13-08-2018 This writ application was preferred in the year 2016 for quashing of the F.I.R. being Begusarai Town (Lohiya Nagar) P.S. Case No.512 of 2015 for the offences alleged under Sections 341, 323, 406, 420, 467, 468, 471 and 386 of the Indian Penal Code.

During the pendency of the writ application, a counter affidavit has been filed on behalf of the State. It is submitted in the counter affidavit that the case against the petitioner has been found true and a charge-sheet bearing no.321/16 dated 30.06.2016 has already been filed in the court below. A copy of the final report has been brought on record by



way of Annexure-A to the counter affidavit, a copy of which was served on learned counsel for the petitioner on 19.10.2016, but this fact has not been controverted by filing any rejoinder to the counter affidavit.

In the above view of the matter, this Court has reasons to believe that this writ application has become infructuous inasmuch as police has already completed the investigation and charge-sheet has been filed. This Court, sitting in its constitutional jurisdiction, is not supposed to go through the evidences and materials collected by the police in course of investigation based on which the charge-sheet has been filed. Moreover, the petitioner will have an opportunity under the Code of Criminal Procedure to take recourse to law, if he so desires, to challenge the charge-sheet or the consequent order taking cognizance.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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