

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26073 of 2015

Arising Out of PS. Case No.-6 Year-2014 Thana- MAHILA PS District- Darbhanga

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1. Prince Ashutosh
 2. Ujjwal Ashutosh
 3. Awiskar Ashutosh All are Sons of Shashi Bhushan Prasad
 4. Silpi Kumari Daughter of Shashi Bhushan Prasad, All resident of village - Saraiya, P.S. Belsand, District – Sitamarhi
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Anand, Adv.
For the Opposite Party : Mr. Pradip Nr. Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 26-03-2018

Heard learned counsel for the petitioners and the learned counsel for the State.

This petition has been filed for quashing the first information report of Mahila P.S. Case No. 6 of 2014 registered under Sections 323, 379, 498A and 504/34 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

The report with regard to the current stage of the case has been received from which it appears that case is still pending at the stage of investigation before the police. The xerox copy of entire orders sheet has been called from the Court below. From the order sheet, it appears that these petitioners have been granted anticipatory bail by this Court vide Cr. Misc. No. 15050 of 2014. The husband Akash Asutosh has not surrendered and process under Section 83 of the Criminal Procedure Code has also been issued against him.

Therefore, this criminal miscellaneous petition is disposed off with direction to the Superintendent of Police,



Darbhanga, to direct the investigating officer to complete the investigation within a period of three months from the date of receipt of this order and submit final report in the Court below under Section 173 of the Criminal Procedure Code.

The District & Sessions Judge, Darbhanga, will communicate the order to the Superintendent of Police, Darbhanga, for necessary compliance and the Superintendent of Police will send the compliance report to the District & Sessions Judge.

The liberty is given to the parties to file necessary petition before the police in the event they come to an amicable settlement and in that event the police after looking into such amicable settlement, entered into between the parties, pass appropriate order during the investigation within the aforesaid period.

The petitioners will have the liberty to move this Court after submission of the charge sheet in the event such petition is not filed by the informant for amicable settlement before the police.

(Sanjay Priya, J)

Shamshad/-

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