

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82352 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- MAHILA P.S. District- Nalanda

Mukesh Pandey, Son of Bachhu Pandey, Resident of Village-Barara, Police
Station-Noorsarai, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Kumari, Daughter of Satya Prakash, Resident of Harnaut, P.S.-
Harnaut, District-Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh, Adv.

For the Opposite Party/s : Dr. (Mrs.)Indiwar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-12-2019 Petitioner has moved this Court for quashing of the

FIR being Mahila P.S. Nalanda Case No.122 of 2019 for the

offence under Sections 498(A), 323, 504, 506, 313 and 495 of

the Indian Penal Code.

Learned counsel for the petitioner submits that the
opposite party no.2 had solemnized love marriage with the
petitioner, but the said marriage has no sanctity of law inasmuch
as the petitioner is already married having two children from his
first wife.

On perusal of the FIR it appears that there are
allegations against the petitioner that he concealed about his
marriage and two children and allured the opposite party no.2 to



enter into a marriage with him and when the opposite party no.2 became pregnant twice this petitioner gave her medicines on a different pretext and aborted her. The informant has also alleged that when she came to know about the marriage of the petitioner and having two children, she raised her voice against the petitioner on which this petitioner gave her beatings and thrown her from the village.

In the admitted facts of this case where this petitioner himself has stated in the petition that the opposite party no.2 had solemnized love marriage and has not denied the fact that the petitioner was earlier married having two children, there being serious allegations in the FIR which is still under investigation, this Court finds no reason to invoke its inherent power to quash the FIR.

This application is wholly misconceived. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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