

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81051 of 2019

Arising Out of PS. Case No.-596 Year-2018 Thana- BODHGAYA District- Gaya

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1. MD. SUHEB Son of Late Md. Samimuddin Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.
 2. Md. Sohail Son of Late Md. Samimuddin Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.
 3. Md. Sakil Son of Late Md. Samimuddin Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.
 4. Md. Nasimuddin Son of Late Md. Samimuddin Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.
 5. Shabana W/o- Md. Suheb Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.
 6. Shabnam W/o- Md. Nasimuddin Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.
 7. Sama Praveen W/o- Md. Sohail Resident of Miya Bihga Colony, P.S.- Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Shaheen Praveen Wife of Md. Akhtar Resident of Village- Miyan Bigha, Ward No. 4, Pani Tanki, P.S.- Bodh Gaya, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 04-02-2020

Heard the parties.

2. This application has been filed for quashing of
FIR dated 10.10.2018 arising out of Bodh Gaya P.S. Case No.
596 of 2018 instituted for the offence under Sections 341, 323,



324, 307, 354, 379, 427, 504/34 of I.P.C.

3. Informant in her written complaint has alleged that on 10.10.2018 at about 4:00 PM when she alongwith her husband and children were in the house, FIR named accused variously armed entered her house and abused and assaulted her and her husband, as a result of which her husband became unconscious and there is further allegation of snatching away the golden chain and cash.

4. On the basis of said written fardbeyan FIR No. 596 of 2018 dated 10.10.2018 was instituted and the case was handed over to S.I. for investigation and the case is still under investigation.

5. This Court under its inherent jurisdiction can quash the FIR only if from the reading of FIR, no criminal offence is made out, however, in present case, it cannot be said that FIR does not disclose any cognizable offence.

6. The investigation of a cognizable offence is the exclusive jurisdiction/domain of the police and Courts cannot interfere or scuttle the investigation of a cognizable case. Truthfulness or falsity of allegation is subject matter and outcome of investigation and same cannot be pre-judged by this Court.



7. The criminal miscellaneous petition is dismissed.

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.02.2020
Transmission Date	22.02.2020

