

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85677 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- CHAPRA TOWN District- Saran

SADAN KUMAR VERMA Son of Late Durga Prasad Resident of Village - Saket Bihar, Mitra Mandal Colony, Anisabad, P.S.- Phulwarisarif, Distt.- Patna, presently Posted in Forest Department at Begusarai, P.O. and P.S.- Begusarai, Dist.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Verma W/o Sadan Kumar Verma, D/o Late Krishndeo Prasad Resident of Village - Dahiyawan, Mahmud Chowk, P.S.- Chapra Town, Distt.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-01-2020

Heard learned counsel for the parties.

This petition is for quashment of FIR of Chapra Town P.S. Case No. 06 of 2019 registered under Sections 498A, 420, 406, 323, 504 and 506/34 of the Indian Penal Code on the written complaint of opposite party no. 2.

According to FIR, opposite party no. 2 married with the petitioner on 20.04.2001. After sometimes, there was demand of a Scorpio Vehicle and for non-fulfillment of demand, opposite party no. 2 was being tortured even by commission of assault. Further allegation is that the petitioner had suppressed to opposite party no. 2 at the time of marriage that first wife of the petitioner is



already dead and she died leaving behind two daughters and a son. Further allegation is that the petitioner is in relationship of different girls and always assaults to opposite party no. 2 when opposite party no. 2 protested the act of the petitioner. The FIR further discloses other cases lodged by opposite party no. 2 against the petitioner under the Domestic Violence Act and for maintenance.

In my view, the FIR discloses commission of cognizable offence, hence, it cannot be quashed on the ground that allegation is not believable and acceptable. The correctness of the allegation would be subject matter of the investigation. Hence, I am not inclined to interfere with the matter in exercise of power under Section 482 Cr.P.C.

Accordingly, this application stands dismissed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	08.01.2020
Transmission Date	08.01.2020

