

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.605 of 2022

Arising Out of PS. Case No.-267 Year-2019 Thana- DIGHA District- Patna

Nitu Singh, Wife of Sunil Singh, Resident of Village - Bindwara, P.S.- Kasim Bazar, District - Munger, At Present Mohalla - Parvati Lane, Phulwari, P.S. - Phulwari, District - Patna.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, State of Bihar, Patna.
3. The Inspector General of Police, Central, Patna.
4. The Senior Superintendent of Police, Patna, District - Patna.
5. The Superintendent of Police, Central, Patna, District - Patna.
6. The Deputy Superintendent of Police, Patna, Law and Order Kotwali, Sub-Division Patna, District – Patna.
7. The Station House Officer, Police Station Digha, Patna, District - Patna.
8. The Investigating Officer at Digha P.S. Case No. 267/19 (Present and The Then).

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Md. Jubair Ansari, Advocate
For the Respondent/s : Mr. Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner and Mr. Saroj Kumar Sharma, learned AC to AAG-3 for the State.

This writ application has been filed seeking a direction to the respondents to investigate Digha P.S. Case No. 267 of 2019 dated 12.05.2019 properly, scientifically and speedily and submit a chargesheet in the competent court.

A counter affidavit has been filed in this case which has been sworn by the Superintendent of Police, Central,



District-Patna. In paragraphs '11', '12' and '13' of the counter affidavit, this Court has been given to understand that a final form has been submitted by the Investigating Officer vide Final Form No. 303 of 2021 dated 28.08.2021 before the competent court.

Learned counsel for the petitioner has informed this Court that the informant has not received any notice after submission of the final form from the learned court below. The grievance of the petitioner is that the police has submitted a final form saying that the deceased had possibly committed suicide. Learned counsel submits that police has not properly investigated the case and the conclusion drawn by police is likely to deprive the petitioner from getting her Insurance claim.

Mr. Saroj Kumar Sharma, learned AC to AAG-3 for the State submits that since the police has already submitted a final form in case the petitioner is aggrieved by the same, her remedy lies in the court of learned Judicial Magistrate where the police report has already been submitted.

Having regard to the facts and circumstances of the case, the materials available on the record and the submissions noted hereinabove, this Court is of the considered opinion that at this stage, this writ application has become infructuous.



This Court grants liberty to the petitioner to appear in the learned court below where the final form has been submitted and file an appropriate application as may be advised to her. If any such application is filed by or on behalf of the petitioner being informant of the case, the learned Magistrate is expected to consider the same on its own merit and pass an appropriate order thereon after hearing learned counsel for the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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