

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2332 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

Chitri Rekha Devi, W/o Vijay Singh, resident of village Baikatpur, P.S-
Khushrupur, District- Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. the Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Additional Director General of Police (Law & Order), Bihar at Patna.
5. The Superintendent of Police, Patna.
6. The Officer-in-Charge, Khushrupur Police Station, District – Patna.
7. The Officer in charge Mahila Thana Gardanibag, Patna.
8. Vijay Singh, S/o Late Jyoti Singh, R/o Village- Baikatpur, P.S- Khushrupur,
District- Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate
For the Respondent/s : Mr. Ruchikar Jha, AC to SC-8.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-09-2022 The petitioner in the present case is seeking a direction to the respondents Officer-in-charge of the Gardanibag as well as Khushrupur Police Station to institute a case against the accused persons and to arrest them.

A counter affidavit has been filed in which it is stated in paragraph '6' that the petitioner has given a written information to the S.H.O. of Mahila Police Station, Gardanibag, Patna on 23.07.2018 alleging therein that the petitioner got married with one Vijay Singh. After 5 years of marriage, the in-laws continuously tortured and assaulted her. The brother of



said Vijay Singh outseted the petitioner from the house. The petitioner urged that the matter may materialize hence Sanha entry be drawn and accordingly it was entered as Sanha vide DR No.2129 dated 23.07.2018.

It is stated that efforts were taken to resolve the disputes amicably. It further stated that the petitioner has not given anything in writing to the police station or to the Superintendent of Police substantiating her allegations.

In the given facts and circumstances of the case, this Court finds that in case the petitioner is looking to register an F.I.R., she may proceed in accordance with law keeping in view the procedures prescribed in the Cr.P.C. which have been further reiterated by the Hon'ble Supreme Court in the case of **Lalita Kumari vs. Government of Uttar Pradesh and ors** reported in **(2014) 2 SCC 1** and **Priyanka Srivastava vs the State of U.P.** reported in **(2015) SCC 287**.

This Court sitting in its extraordinary writ jurisdiction under Article 226 of the Constitution of India would not entertain this application. In this regard reference may be made to the judgment of the Hon'ble Supreme Court in the Case of **Sakiri Vasu Vs. State of U.P. and Others** reported in **AIR 2008 SC 907**.



This application is, thus, disposed of with liberty to
the petitioner to proceed in accordance with law.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

