

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1734 of 2017

Arising Out of PS. Case No.-74 Year-2016 Thana- MAHILA PS District- Jehanabad

Shabbu Parween D/o Md. Sahud Quraishi, R/o Village- Ratni, P.S.-
Shakurabad, District- Jehanabad.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Senior Superintendent of Police, Jehanabad.
3. Deputy Superintendent of Police, Jehanabad.
4. The S.H.O. , Mahila P.S. Jehanabad.
5. Ajay Kumar Son of Lalan Mistri , R/o Village- Khajur Khana, P.S.-
Shakurabad, District- Jehanabad.
6. Md. Taufiq Quraishi Son of Nasim Quraishi, R/o Village- Ratni, P.S.-
Shakurabad, District- Jehanabad.
7. Guddu Choudhary Son of Sudhan Choudhary, R/o Village- Ratni, P.S.-
Shakurabad, District- Jehanabad.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary, Advocate
For the Respondent/s : Mr. Kumar Shanu, AC to AG

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-11-2022 Heard Mr. Alok Kumar Choudhary, learned counsel

for the petitioner and Mr. Kumar Shanu, learned AC to AG for

the State.

This writ application was filed in the year 2017 for
issuance of a writ in the nature of Writ of Mandamus
commanding the official respondents to take appropriate action
against Respondent Nos. 5, 6, and 7 who were allegedly
threatening and harassing the petitioner.

Mr. Choudhary, learned counsel for the petitioner has



taken this Court through the First Information Report being Mahila (Jehanabad) P.S. Case No. 74 of 2016.

This Court has, however, been informed at this stage that during pendency of the case, police has investigated the matter and finally a chargesheet has been filed against Md. Taufiq Quraishi only. The other named accused have not been sent-up for trial.

Learned counsel for the petitioner admits that the petitioner had a remedy available against the report not sending the other accused for trial but the petitioner has not applied for such remedy.

This being the position, this Court sitting under Article 226 of the Constitution of India would not substitute its own opinion over and above the opinion of the investigating agency. If at all the petitioner is aggrieved by the investigation, she may take appropriate remedy as may be advised to her.

As regards the prayer for providing security to the petitioner, this Court is of the considered opinion that in case, the petitioner has any threat to her life, she may bring it to the notice of the Jurisdictional police station and upon such information the same will be entered in the Station Diary of the police station and after examining the threat perception of the



petitioner if it is found to be genuine, it will be bounden duty of the concerned police officer to send his report to the competent committee through proper channel for consideration of the case of the petitioner.

This Court would expect that upon information in this regard, the concerned police station/officer shall complete the whole exercise within a reasonable period which in this situation will not be more than a month.

This application stands disposed of accordingly.

(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'.

