

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.710 of 2017

Arising Out of PS. Case No.-186 Year-2015 Thana- GANDHIMAIDAN District- Patna

Minakshi Kumari Wife of Gopal Ranjan, a Resident of Mohalla- Musallahpur, Mahavir Lane, Shaistapur Lodge, P.S.- Pirbahore, District- Patna at present Gurudaspur Tola Bihat, P.S.- Bihat, District- Begusarai, her husband is a Bank P.O. at Rajkot Bank of Baroda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar, Patna, Old Secretariat, Patna.
3. The Senior Superintendent of Police, Patna Police Office Gandhi Maidan, Patna.
4. The Superintendent of Police, Patna Police Office Gandhi Maidan, Patna.
5. The Deputy Superintendent of Police, PatnaSadar, Patna, Police Office Gandhi Maidan, Patna.
6. The Inspector-cum- S.H.O. Gandhi Maidan Police Station, Patna.
7. The Investigating Officer of Gandhi Maidan P.S. Case No. 186/2015, Gandhi Maidan Police Station, Pa
8. Smt. Alka Devi @ Alka Sharma, Wife of Gopal Krishna, D/o- Yogendra Prasad Sharma, a Resident of East Lohanipur Paris Lane, P.S.- Kadamkuan, District- Patna, At present Vishnu Enclave, A- 302, Salimpur Aahara Gali No. 1, Police Station- Gandhi Maidan, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar, Advocate
For the Respondent/s : Mr.Partha Sarthiga-4, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 28-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The present application has been filed for quashing
F.I.R vide Gandhi Maidan P.S. Case No. 186 of 2015 registered
for the offences under Sections 379, 323, 324, 420, 406, 498A,
120B and 494 of the Indian Penal Code.

As per F.I.R, the marriage of informant was



solemnized with Gopal Krishna on 27.06.2007 thereafter, she went to her matrimonial home and started leading her conjugal life. A child was born out of her wedlock. It is alleged that after some years, the husband of the informant took her to his place of posting and started torturing her and all the accused persons demanded rupees 20 lakhs as dowry. On account of non-fulfillment of demand, they ousted the informant from the matrimonial home.

Learned counsel for the petitioner submits that petitioner is the married sisters-in-law (nanad) of the informant and there is general and omnibus allegation against her in the F.I.R. The petitioner has also relied upon the judgment of Hon'ble Supreme Court in the case of *Kahkashan Kausar @ Sonam Vs. State of Bihar* reported in *2022 SCC OnLine SC 162*.

I have considered the submissions of the parties and also perused the materials available on record including F.I.R. It appears that petitioner is the married sisters-in-law (nanad) of the informant and she is residing in Begusarai. There are general and omnibus allegation against her as the details of the allegations are missing in the F.I.R.

Considering the aforesaid facts of this case and also



considering the law laid down by the Hon'ble Supreme Court in the case of ***Kahkashan Kausar Sonam and Ors (supra)***, this application is allowed. The F.I.R vide Gandhi Maidan P.S. Case No. 186 of 2015 registered of the offences for the offences under Sections 379, 323, 324, 420, 406, 498A, 120B and 494 of the Indian Penal Code and all consequential arising out of aforesaid F.I.R are hereby quashed with respect to petitioner only in the interest of justice.

(Sandeep Kumar, J)

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