

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.476 of 2021

Arising Out of PS. Case No.-838 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

NEHA KUMARI CHAUHAN W/o Tejinder Singh, D/O Sri Birendra Chauhan Resident of Village - Sisauni Rajauli, P.S. Sadar Hajipur, District - Vaishali. At Present residing at Village - Alampur, P.S. - Dehlon, District - Ludhiana (Punjab) ... Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY, DEPTT. OF HOME AND AFFAIRS, BIHAR, PATNA
2. The Director General of Police, Bihar, Patna
3. The District Magistrate, Vaishali
4. The Superintendent of Police, Vaishali
5. The Town Dy. S.P. Hajipur, Vaishali
6. The S.H.O. Sadar, Hajipur, Vaishali
7. Kumari Chinta Chauhan W/o Birendra Prasad Chauhan Resident of Sisauni Rajauli, P.S. Sadar Hajipur, District – Vaishali ... Respondents

Appearance :

For the Petitioner : Mr.Md. Najmul Hodda, Adv.

For the Respondents : Mr. Seo Shankar Prasad, SC VIII

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 21-04-2023 Heard learned counsel for the petitioner and the State.

The present application has been filed by the petitioner seeking protection of life and property to the petitioner and her husband from the hand of respondent no. 7. The petitioner sought relief for quashing of first information report being Vaishali Sadar P.S. Case No. 838 of 2020 lodged under Sections 363 and 366 of the Indian Penal Code.

The petitioner is the daughter and respondent no. 7 is the mother. The said respondent no. 7 has filed a criminal case against one Tajendra Singh who has alleged to kidnap the



daughter of respondent no. 7 (who is petitioner). The daughter has come before this Court for quashing the first information report who is not accused, accused is her husband, therefore, on this ground this writ petition is not entertainable at all.

So far as protection of the daughter is concerned, from the content of the first information report it transpires that both petitioner and her husband residing at Ludhiana (Punjab) whereas respondent no. 7 is old aged lady residing at Hajipur (Vaishali). So in view of the Court there is no occasion of passing any order of protection of life and property of the petitioner at the hand of her own mother.

With this observation, this Court **dismiss** this writ petition, but, liberty is hereby granted to the petitioner that she may take advice from Lawyer for closing of the case in accordance with law.

(Dr. Anshuman, J)

Shamshad/-

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