

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8502 of 2017

Arising Out of PS. Case No.-33 Year-2016 Thana- SIMULTALLA District- Jamui

Archana Thakur Wife of Santosh Kumar Mishra, Resident of Village-
Kumardih, P.S. Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Awadhesh Thakur, Son of Bechan Thakur, Resident of Village- Barahita,
P.S.- Kalyanpur, District- Samastipur, Presently posted as Block Education
Officer, Jhajha, P.S. Jhajha, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Kumar, Advocate
For the Opposite Party/s : Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits
that the present application has been filed seeking quashing
of the First Information Report, but much water has flown
thereafter and charges have been framed and trial has
commenced, it is next submitted that though trial has
commenced but still this Court can exercise its power under
Section 482 of the Cr.P.C. for ends of justice and doing
complete justice between the parties. It is further submitted
that during the course of investigation, the police
investigated the case in a mechanical manner and submitted



charge sheet when nothing transpired during the course of investigation which could even remotely connect the petitioner with the offence, it is next submitted that no doubt charges have been framed, but then the Court has much wider power for appreciating the allegations after framing of charge as the evidences collected during the course of investigation comes to the fore and for that proposition the learned counsel relies on a judgment of the ***Hon'ble Supreme Court reported in 2012 13 SCC 614 Satish Mehra Vs. State (NCT of Delhi) and Anr.***

3. The learned A.P.P. for the State, Mr. Ravindra Kumar, opposes the quashing application and submits that application was filed seeking quashing of an F.I.R. but thereafter much water has flown and neither the charge sheet nor the order by which the application of the petitioner seeking discharge was rejected along with any other material which, prima facie, demonstrates about the innocence of the petitioner is on record.

4. At this stage, the learned counsel for the petitioner seeks permission to withdraw the quashing application with liberty to raise all issues at an appropriate



stage before an appropriate forum.

(Satyavrat Verma, J)

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