

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.592 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- CHHATAUNI District- East Champaran

Ranjan Prasad Singh Son of Ganesh Prasad Singh R/o- Mohalla- Chhatauni
Bazar(Ward No. 18) P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Division At Muzaffarpur.
4. The Deputy Inspector General of Police, Champaran Region at Bettiah.
5. The Superintendent of Police, East Champaran at Motihari.
6. The Officer In-Charge of Chhatauni Police Station, East Champaran at Motihari.
7. The Investigation Officer, Chhatauni Police Station, East Champaran at Motihari.
8. Rakesh Kumar Son of Rajeshwar Prasad Singh R/o- Vill- Mathiya Dih (WARD No.-17), P.S.- Chhatauni, Dist- East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Kumar Sinha, Adv.
	:	Mr. Rakesh Kumar No.1, Adv.
	:	Mr. Aaroop Ratna, Adv.
For the State	:	Ms. Divya Verma, AC to AAG-3.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present Cr. Writ Petition has been filed for quashing of F.I.R. bearing Chhatauni P.S. Case No. 117 of 2022 (G.R. No. 1000 of 2022) dated 02.03.2022 registered under Sections 406, 420, 467, 468 & 471 of the Indian Penal Code.

Learned counsel for the petitioner submits that for the same relief another Complaint Case No. 277 of 2022 has been filed. He further submits that according to the provision of Cr.P.C. laid down under Section 210 of the Cr.P.C. that if with



the same material F.I.R. and complaint both filed then in that case the appropriate court where the case is pending shall take a decision in this matter.

Learned counsel for the State has no objection for the same and submits that petitioner may exhaust his remedy before appropriate forum by way of filing separate application under Section 210 of Cr.P.C.

In this view of the matter, this Court is not inclined to quash the F.I.R. but liberty is hereby granted to the petitioner that he shall exhaust his remedy as laid down under Section 210 of Cr.P.C. which states as follows:-

210. Procedure to be followed when there is a complaint case and police investigation in respect of the same offence.

And the court before whom the application shall be filed by the petitioner shall take decision in accordance with law within a period of 30 days from the date of filing of application.

With this observation, the present Cr. Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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