

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76390 of 2023

Arising Out of PS. Case No.-116 Year-2022 Thana- MATIHANI District- Begusarai

1. Meena Kumari Wife Of Late Kamalesh Singh R/O Vill - Vandwar, P.S. - Mufassil, Distt. - Begusarai, At Present R/O Kolkata, West International City New Wakara, Briz Flat No. A02/21, Distt. - Howarah
2. Brijkishor Singh Son Of Bhauni Singh R/O Vill - Anandpur, P.S. - Nagar (Lohianagar O.P.), Distt. - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari D/o Vijay Roy R/o vill - Matihani, Kharidi ward no.16, P.S. - Matihani, Distt.- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar- Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2023 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The learned counsel for the petitioners submits
that the present quashing application has been filed seeking
quashing of the F.I.R. being Matihani P. S. Case No.116 of
2022 dated 21.08.2022 registered under Sections 323, 506,
498(A) and 34 of the I.P.C. read with Section 3 and 4 of the
D. P. Act.

3. The learned counsel for the petitioners submits
that petitioner no.1 is mother in-law and petitioner no.2 is



maternal father in-law (Mama Sasur) of the opposite party no.2. It is next submitted that whenever any dispute arises in between the husband and the wife, the entire family members are implicated in a mechanical manner with general and omnibus allegation. It is next submitted that no doubt in the F.I.R., it is alleged that the petitioner no.1 sat on the chest of the opposite party no.2 and petitioner no.2 was holding her leg and she was assaulted, but then, the said allegation is ornamental in nature in order to give a serious colour to the case. It is further submitted that it absolutely does not stand to reason that as to why the maternal father in-law of the opposite party no.2 would indulge in such an occurrence.

4.The learned Additional P. P. opposes the quashing application and submits that the petitioners are not challenging the order of cognizance rather is seeking quashing of the F.I.R., when the investigation presently is in nascent stage. It is next submitted that if what has been submitted by the learned counsel for the petitioners is true, the police will investigate the case as per merit of the



allegation as alleged in the F.I.R.

5. Considering the submission made by the learned Additional P. P., the Court is not inclined to entertain the quashing application.

6. The quashing application is rejected accordingly.

(Satyavrat Verma, J)

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