

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1055 of 2023

Arising Out of PS. Case No.-533 Year-2021 Thana- KADAMKUAN District- Patna

Rohini Ranjana, Wife of Punit Jain, Resident of Road No.3, Rajendra Nagar,
Sampatchak, Patna, Bihar-800016 At Presently Residing at Flat No.302, Ohm
Vihar Apartment, Kadamkuan, P.S. Kadamkuan, Patna

... .. Petitioner

Versus

1. The State Of Bihar through, Home Secretary, Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Inspector General of Police, Patna
4. The Senior Superintendent of Police, Patna
5. The Deputy Superintendent of Police, Patna
6. The Officer-In-Charge, Kadamkuan P.S., District - Patna

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay, Advocate
For the Respondent/s : Mr. Anil Kumar, AC to SC-8

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 02-01-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner in the present case is seeking a writ in the nature of mandamus directing the respondent authorities to conduct proper investigation of Kadamkuan P.S. Case No. 533 of 2021, dated 13.10.2021 for the offences alleged under Sections 406 and 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the present case has been lodged by the informant-petitioner alleging that she had paid a sum of Rs. 40 lakhs to the accused,

namely, Abhishek Kumar Chanchal on 01.03.2021. To secure the refund of the said loan, the accused issued two cheques of Rs. 20 lakhs each drawn on Canara Bank, Anishabad, SSB Branch, Patna in favour of the informant but when those cheques were presented for collection, both the cheques stood dishonoured because the account was inactive. Learned counsel submits that despite demand of the money through a legal notice, the money was not returned, hence the FIR has been lodged.

4. Earlier, this Court had directed the Senior Superintendent of Police, Patna to file a counter affidavit after reviewing the case within four weeks.

5. A counter affidavit has been filed on behalf of the State which has been sworn by the Senior Superintendent of Police, Patna. From Annexure 'R/4-A' to the counter affidavit it appears that the Senior Superintendent of Police, Patna has issued certain instructions to the I.O. for completion of investigation.

6. Learned counsel for the State submits that the I.O. is complying with the instructions and the investigation of the case is likely to be concluded very soon.

7. Having regard to the facts and circumstances of the

case, the developments which have taken place vide Annexure ‘R/4-A’ to the counter affidavit in form of certain instructions issued by the Senior Superintendent of Police, Patna, this Court is disposing of the present writ application with a direction to the investigating agency to complete the investigation within a period of four months from the date of receipt/communication of a copy of this order and submit an appropriate report in the court of learned jurisdictional Magistrate immediately thereafter. The Senior Superintendent of Police, Patna shall keep on reviewing the case at appropriate intervals and ensure that the investigation is completed within the aforesaid period.

8. The petitioner will be at liberty to seek her any other remedy which may be available to her in accordance with law.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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