

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1739 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- SHANKARPUR District- Madhepura

Hafijul Son Of Makbul Resident Of Village - Parsa, Ward No.4, P.S. -
Shankarpur, District - Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Dept Of Home (Police), Govt. Of Bihar, Patna Bihar
2. The Director General Of Police, Government Of Bihar, Patna Bihar
3. The Deputy Inspector General Of Police, Koshi Range, Saharsa (Bihar) Saharsa
4. The District Magistrate, Madhepura, District - Madhepura (Bihar) Madhepura
5. The Superintendent Of Police, Madhepura, District - Madhepura (Bihar) Madhepura
6. The Station House Officer, Shankarpur Police Station, District - Madhepura Bihar
7. Saberun Khatoon Wife Of Md. Gayas Resident Of Village - Parsa, Ward No.4, P.S. - Shankarpur, District - Madhepura (Bihar)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhishek
For the Respondent/s : Mr. Sheo Shankar Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-08-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This writ petition has been filed for the issuance of

an appropriate writ or writs for the following reliefs:-

“A. For directing the Respondent Authorities to take proper step on the Letter No.18-01/2022-1917 dated 02.08.2022 issued by the Divisional Commissioner, Koshi Division Saharsa by



which the Police Authorities were directed to take proper steps in accordance with law with respect to the dispute between the parties.

B. For quashing the First Information Report bearing Shankarpur Police Station Case No.123 of 2022 registered on 14.07.2022 under Sections 341, 323, 504, 506, 34 of the Indian Penal Code against the Petitioner and others which has been filed in retaliation to the case lodged by the wife of the Petitioner bearing Shankarpur Police Station Case No.122 of 2022 registered on 14.07.2022 under Sections 341, 323, 504, 506, 34 of the Indian Penal Code.”

3. So far as the Prayer No. A is concerned, the petitioner and the respondent no. 7 are coparcener and, therefore, the learned counsel for the petitioner prays that the dispute between the parties is a civil dispute and the Respondent authorities may be directed to take appropriate steps in view of the Letter No.18-01/2022-1917 dated 02.08.2022 issued by the Divisional Commissioner, Koshi Division, Saharsa.

4. The respondent authorities are directed to act in accordance with the law in light of the Letter No.18-01/2022-1917 dated 02.08.2022 issued by the Divisional Commissioner, Koshi Division Saharsa.

5. So far as the Prayer No. B is concerned, during



pendency of this writ petition, the investigation has been concluded and the charge-sheet has been submitted.

6. In these circumstances, the Prayer No. B i.e., for quashing of the FIR vide Shankarpur P.S. Case No. 123 of 2022, is hereby rejected with liberty to the petitioner to raise all the grounds at an appropriate stage.

7. With the aforesaid observations, this application is disposed of.

Shishir/-

(Sandeep Kumar, J)

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