

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75805 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- NAYAGAON District- Saran

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1. Sunil Kumar Singh S/o Late Ram Vilas Singh R/o House No. 06, Mai Girls Hostel, Sardar Patel Path, Boring Road, P.s- Sri Krishnapuri, Distt - Patna
 2. Manisha Singh W/o Sunil Kumar Singh R/o House No. 06, Mai Girls Hostel, Sardar Patel Path, Boring Road, P.s- Sri Krishnapuri, Distt - Patna
 3. Shiven Singh S/o Sunil Kumar Singh R/o House No. 06, Mai Girls Hostel, Sardar Patel Path, Boring Road, P.s- Sri Krishnapuri, Distt - Patna
 4. Krishna Kumar Singh S/o Late Ram Vilas Singh R/o House No. 06, Mai Girls Hostel, Sardar Patel Path, Boring Road, P.s- Sri Krishnapuri, Distt - Patna
 5. Sweta Singh W/o Krishna Kumar Singh R/o House No. 06, Mai Girls Hostel, Sardar Patel Path, Boring Road, P.s- Sri Krishnapuri, Distt - Patna
 6. Jyotsna Singh @ Jyotsna W/o Rahul Raj R/o Rawati, Shukla Colony, Hinoo, Doranda, Distt. - Ranchi (Jharkhand)
 7. Sweta singh W/o Ravish Kumar Singh R/o Bermo Seem, Near Durga Mandap, P.S. - Bermo, Dist.- Bokaro (Jharkhand)
 8. Aman Singh @ Aman Kumar Singh S/o Manoj Kumar Singh R/o Sri Sai Residency, Block A, B202, Chitragupt Nagar, Bariatu, Distt. - Ranchi, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Megha Singh W/o Ankit Kumar Singh, D/o Rajesh Singh R/o vill - Dumri Bujurg, P.S. - Nayagaon, Distt. - Saran

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75931 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- NAYAGAON District- Saran

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1. Anil Kumar Singh S/o Late Ram Vilas singh R/o 1919C, Bermo Seem, P.S. - Bermo, Distt.- Bokaro (Jharkhand)
 2. Punam Singh W/o Anil Kumar Singh R/o 1919C, Bermo Seem, P.S. - Bermo, Distt.- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Megha Singh W/o Ankit Kumar Singh, D/o Rajesh Singh R/o vill- Dumri Bujurg, P.S. - Nayagaon, Distt.- Saran



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 75805 of 2024)

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate
For the State : Mr. Kalyan Shankar, APP
For the O.P. No. 2 : Mr. Ashish Giri, Sr. Advocate
Mr. Rajat Kumar Tiwary, Advocate
Ms. Deepika Sharma, Advocate

(In CRIMINAL MISCELLANEOUS No. 75931 of 2024)

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate
For the State : Mr. Kalyan Shankar, APP
For the O.P. No. 2 : Mr. Ashish Giri, Sr. Advocate
Mr. Rajat Kumar Tiwary, Advocate
Ms. Deepika Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
CAV JUDGMENT

Date : ...-02-2026

Heard Mr. Radha Mohan Singh, learned counsel for the petitioners, Mr. Ashish Giri, learned senior counsel for the O.P. No. 2 and Mr. Kalyan Shankar, learned APP for the State.

2. These applications have been preferred for quashing of the FIR being Nayagaon P.S. Case No. 184 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 74, 85, 352, 351(2), 79 and 3(5) of the Bharatiya Nyaya Sanhita and Sections 3 and 4 of the Dowry Prohibition Act.

3. The facts giving rise to the present case is to the effect that the informant namely Megha Singh/O.P. No. 2, had given written statement that her marriage was solemnized with Ankit Singh in 2017. After few days, the petitioner families started torturing her for non-fulfillment of demand of dowry. The informant further alleges that petitioner, Sweta Singh 7 in the state



of intoxication tried to give her a knife blow and she along with her mother Punam Singh was harrasing her mentally. It is further alleged by the informant that her father in law in the state of intoxication treid to abuse her sexually with the reason that there was non fulfillment of dowry demand. After the birth of informant's daughter the petitioners tried to take her away and coerced her to give that child for Adoption. It is further alleged by the informant that petitioner no 3 also tried to sexually abuse her. The informant left her matrimonial home along with her daughter. On the basis of written application FIR was registered against the petitioners. Hence the present applications.

4. The Learned counsel for the petitioners submits that the petitioners are quite innocent and have falsely been implicated in this case. The allegations are false, frivolous, fabricated and concocted and having no essence of truth. That in Cr. Misc. No. 75805 of 2024, Petitioner No. 1 and 4 are the Cousin Father-in-law, Petitioner No. 2 and 5 is the Cousin Mother-in-law, Petitioner No. 3 is the cousin Brother-in-law, Petitioner No. 6 and 7 are married sister-in-law whereas Petitioner No. 8 is the nephew of Petitioner No. 2 who is not in any way directly related to Husband of O.P. No. 2.



5. The Learned counsel for the petitioner submits that other than petitioner nos. 6 and 7 of Cr. Misc. No. 75805 of 2024, all the other petitioners are distant relatives and live their life separately. It is further submitted that petitioner no 6 and 7 are married sister in laws and have nothing to do with the family affairs of the informant. It is next submitted that Petitioner no 8 is the nephew of petitioner no 2 who in no way connected with the husband of O.P. No. 2.

6. Learned Counsel for the petitioners submits that the O.P. No. 2 from the very solemnization of marriage was never found interested in starting her conjugal relations with her husband and was constantly committing cruelty through her unprecedented, indecent and violent behavior towards him and other family members. She was prejudiced with the sense of abhorrence towards her entire matrimonial relations. It is next submitted that Petitioners, despite the tormenting and cruel behavior of O.P. No. 2, remained silent in the hope that with time she would adjust to her new family and understand her marital responsibilities. It has next been submitted that the petitioners made several efforts to restore harmony in the strained relationship, but all attempts failed due to her continued misconduct towards her husband and family members. It is next submitted that within a short period at her



matrimonial home, she misbehaved with her in-laws and sister-in-law and, on trivial issues, threatened them with serious consequences.

7. The Learned Counsel for the petitioner submits that the petitioners had never ever demanded any amount of dowry from the O.P. No. 2 or her father as dowry and such allegations were made just to aggravate the facts and circumstances of the case. It is further submitted that the Husband of O.P. No. 2 is still ready to keep his wife with full honor and dignity. That the learned Counsel has referred to the Judgment rendered in *State of Haryana & Ors. V. Bhajan Lal & Ors* reported in *1992 Supp (1) SCC 335*, and *Dara Lakshmi Narayana & Ors v. State of Telangana & Ors.* reported in *(2025) 3 SCC 735* in support of his arguments.

8. The Learned Senior counsel for the O.P. No. 2 submitted that the statements made in the petition are distorted and misleading. The FIR in question was filed based on grave and continuous acts of cruelty, harassment for dowry, physical assault, and sexual abuse inflicted upon the O.P. No. 2 by the petitioner and his family members. The O.P. No. 2 was reduced to a position of a helpless victim, compelled to endure severe abuse merely for not being able to fulfill illegal dowry demands. It has been



submitted that the FIR has been lodged after sustained and unbearable mental and physical harassment over several years, and thus, cannot be labeled as frivolous or false by any stretch of imagination.

9. The Learned Senior counsel for the O.P. No. 2 has submitted that a counter affidavit has been filed in which it has specifically been denied about false implication. It has next been submitted that petitioners frequently visited the matrimonial home and actively intervened in the marital life of the Informant. It is further submitted that the petitioner's participated in acts of harassment, intimidation, humiliation and cruelty, and their involvement was neither remote nor incidental. The allegation that they had not spent a single day with the Opposite Party No. 2 after the solemnization of marriage is incorrect and deliberately made to mislead this Hon'ble Court. The question of physical cohabitation is immaterial when the FIR discloses repeated acts committed during their visits and in furtherance of common intention. Hence, the plea of distant relationship and separate living arrangement is a self-serving defence, which cannot be adjudicated at this stage and deserves outright rejection.

10. The Learned Senior counsel for the Opposite Party No. 2 submitted that the allegations regarding any alleged



extramarital affair of the Opposite Party No. 2 are wholly false, malicious and without any factual foundation. There is not a single piece of material to substantiate such defamatory assertions. The mobile number used by the Opposite Party No. 2 was in fact registered in the name of the husband's brother-in-law. It has been asserted that the Opposite Party No. 2 came to know about tampering with her communication only when the services were abruptly suspended and an eSIM was issued without her knowledge. Upon making inquiries, it was revealed that her Whats App account was being clandestinely accessed and monitored at the instance of the petitioner, clearly indicating invasion of privacy and ulterior motive. Alarmed by this unauthorized interference, the Opposite Party No. 2 immediately approached the local Police Station and submitted a written complaint, upon which the police assured appropriate action. It has further been submitted that the FIR already contains detailed and specific allegations narrating the incidents of cruelty, harassment and intimidation suffered by the Opposite Party No. 2. The contents of the FIR clearly disclose cognizable offences and require no further elaboration at this stage. The truthfulness, sufficiency and evidentiary value of the allegations are matters to be examined during investigation and



trial. Premature interference by this Hon'ble Court would amount to stifling a legitimate prosecution at the threshold.

11. The Learned Senior counsel for the Opposite Party Number 2 submits that the assertions made by the petitioners denying involvement are self-serving and motivated solely to evade the due process of law. The allegations levelled against the petitioner and his family members are grave, specific and substantiated by the factual narrative in the FIR. The same cannot be dismissed merely on the basis of bald denials.

12. It has thus been submitted that the petitioners must face investigation and trial so that the veracity of the allegations may be judicially determined. It is next submitted that the so-called willingness of the petitioners to keep the Opposite Party No. 2 with honour and dignity is nothing but an eye wash projected for securing sympathy before this Hon'ble Court. In reality, when the petitioners and other family members visited the village of the Opposite Party No. 2, they publicly humiliated her by assassinating her character before villagers and refused to engage in any dignified discussion despite repeated requests by her father. They even issued threats of dire consequences.

13. It is next submitted that the husband of the informant maliciously instituted Complaint Case No. 244 of 2025 dated



06.01.2025 under Sections 406 and 420 of the Indian Penal Code against the brother of the Opposite Party No. 2, and also instigated registration of SC/ST P.S. Case No. 09/2025 dated 26.01.2025 through the father of a maid working in their house against the family members of the Opposite Party No. 2. Such conduct clearly reflects vindictiveness, mala fide intention and an attempt to pressurize and intimidate the Opposite Party No. 2 and her family members after registration of the present FIR.

14. The learned senior counsel for the O.P. No. 2 has thus submitted that the petitioners having challenged the entire FIR is misconceived because it is a case where allegations have been levelled against the accused persons of abuse and torture and therefore, it is only after the investigation that the true facts would come out and till then no interference is warranted.

15. In support of his arguments, learned Senior Counsel has relied on various judicial pronouncements which are ***Muskan v. Ishaan Khan(Sataniya) and Ors.*** reported in ***2025 SCC Online SC 2355***, ***Umesh Prasad Gupta & Ors. v. State of Bihar and Anr.*** reported in ***2024 SCC Online Pat 3304***, ***Jyoti v. State of Bihar & Anr.*** reported in ***2024 SCC Online Pat 3468***.

16. Learned APP for the state has vehemently opposed the prayer for quashing of the FIR. The learned APP submits that



the informant was subject to cruelty and the petitioners are in-laws and they have made demand of dowry and harassed the victim.

17. Having heard the learned counsel for the parties and having perused the respective pleadings and affidavits, it is evident that the informant has named 11 accused in the present case and almost all the family members have been implicated with allegations of being in connivance in either abusing, demanding dowry or inflicting torture. This Court has taken note that in Cr. Misc. No. 75805 of 2024, the petitioners no. 1 and 4 are the cousin father-in-law, while petitioners no. 2 and 5 are the cousin mother-in-law, petitioner no. 3 is the cousin brother-in-law, petitioners no. 6 and 7 are the married sisters-in-law whereas petitioner no. 8 is the nephew of petitioner no. 2.

18. Though the learned counsel for the petitioners had impressed upon this Court that barring petitioners no. 6 and 7 rest of the petitioners are distant relatives of O.P. No. 2 and they have been living their lives separately and had no say in the internal marital affairs of O.P. No. 2, however from the perusal of the written report it would be evident that the informant has alleged specifically with regard to the father-in-law and mother-in-law (petitioners of Cr. Misc. No. 75931 of 2024) along with petitioner no. 4 and petitioner no. 5 being involved in abuse of not only the



O.P. No. 2 but to even the family members of the O.P. No. 2 with specific date.

19. While there is specific allegation against petitioner no. 3 of inappropriate conduct towards the O.P. No. 2 and in which the husband of O.P. No. 2 had in fact blamed her and not the petitioner no. 3 who happens to be the cousin of the husband of the informant. The O.P. No. 2 has also specifically named her husband, father-in-law, cousin father-in-law and the cousin of her husband to have gone to her parents' house on specific date and forcibly tried to take away the daughter of O.P. No. 2.

20. From the above, it seems that there are allegations levelled against the named accused persons however from the perusal of the same it is evident that as far as petitioners Krishna Kumar Singh, Manisha Singh and Sweta Singh (petitioner no. 5) are concerned there is very vague and omnibus nature of allegations levelled against them without any specificity.

21. It is a settled law now as per the judgment rendered in the case of *State of Haryana and Ors. v. Bhajan Lal* reported in *1992 Supp(1) SCC 335*, wherein it has been stated that where the allegations in the FIR do not disclose a cognizable offence justifying an investigation by police officers the court could interfere and quash the proceedings as against them.



22. As far as the other petitioners are concerned, this Court finds that there is *prima facie* allegations levelled against the said petitioners and in view of the settled law with regard to the fact that the High Court under the exercise of its power under Section 482 Cr.P.C. should not quash criminal proceedings normally by examining the FIR and embarking upon an inquiry with regard to the genuineness of the allegations made in the FIR. The contention raised by the learned counsel for the petitioner with regard to false implication cannot be looked into at this stage, especially for the fact that the investigation is still pending and the police has not even submitted its report.

23. The judgment referred to by the learned senior counsel, appearing on behalf of O.P. No. 2, rendered in the case of ***Neeharika Infrastructure Private Limited (supra)*** had given directions to the Courts exercising the power under Section 482 of the Cr.P.C.

“Conclusions

33. *In view of the above and for the reasons stated above, our final conclusions on the principal/core issue, whether the High Court would be justified in passing an interim order of stay of investigation and/or “no coercive steps to be adopted”, during the pendency of the quashing petition under Section 482 CrPC and/or under Article 226 of the Constitution of India and in what circumstances and whether the High Court would be justified in passing the order of not to arrest the*



accused or “no coercive steps to be adopted” during the investigation or till the final report/charge-sheet is filed under Section 173 CrPC, while dismissing/disposing of/not entertaining/not quashing the criminal proceedings/complaint/FIR in exercise of powers under Section 482 CrPC and/or under Article 226 of the Constitution of India, our final conclusions are as under:

33.1....

33.2. Courts would not thwart any investigation into the cognizable offences.

33.3. It is only in cases where no cognizable offence or offence of any kind is disclosed in the first information report that the Court will not permit an investigation to go on.

33.4. The power of quashing should be exercised sparingly with circumspection, as it has been observed, in the “rarest of rare cases” (not to be confused with the formation in the context of death penalty).

33.5. While examining an FIR/complaint, quashing of which is sought, the court cannot embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR/complaint.

33.6....

33.7. Quashing of a complaint/FIR should be an exception rather than an ordinary rule.

33.8 to 33.11

33.12. The first information report is not an encyclopedia which must disclose all facts and details relating to the offence reported. Therefore, when the investigation by the police is in progress, the court should not go into the merits of the allegations in the FIR. Police must be permitted to complete the investigation. It would be premature to pronounce the conclusion based on hazy facts that the complaint/FIR does not deserve to be investigated or that it amounts to abuse of process of law. After investigation, if the investigating officer finds that there is no substance in the application made by the complainant, the investigating officer may file an appropriate report/summary before the learned Magistrate which may be considered by the learned Magistrate in accordance with the known procedure.



33.13 and 33.14

33.15. *When a prayer for quashing the FIR is made by the alleged accused and the court when it exercises the power under Section 482 CrPC, only has to consider whether the allegations in the FIR disclose commission of a cognizable offence or not. The court is not required to consider on merits whether or not the merits of the allegations make out a cognizable offence and the court has to permit the investigating agency/police to investigate the allegations in the FIR.”*

(emphasis supplied)

24. Thus, in view of the above, at this stage, this Court cannot embark upon checking the veracity and credibility of the allegations levelled in the FIR and from the reading of the FIR it would appear that *prima facie* allegations of harassment and demand of dowry are being made out and therefore quashing of the FIR as far as petitioners no. 1, 3, 6, 7, 8 and 9 of Cr. Misc. No. 75805 of 2024 would amount to prejudging and preempting the result of the investigation which is still pending. It is also a settled law that the High Court in order to check the veracity of the complaint cannot conduct a mini trial while hearing an application under Section 482 Cr.P.C.

25. This Court also cannot travel into the defence of the petitioners at the present stage and the petitioners shall always be at liberty to challenge any subsequent development made in the case since the submission of charge-sheet.



26. Thus, in view of the above, the application against petitioners no. 1 (Sunil Kumar Singh), 3 (Shiven Singh), 6 (Jyotsna Singh @ Jyotsna), 7 (Sweta Singh) and 8 (Aman Singh @ Aman Kumar Singh) in Cr. Misc. No. 75805 of 2024 and petitioners no. 1 (Anil Kumar Singh) and 2 (Punam Singh) in Cr. Misc. No. 75931 of 2024, finding them to be premature are, hereby, dismissed.

27. This Court finds that as far as petitioners no. 2, 4 and 5 are concerned *prima facie* no case is being made out against them hence the application, as far as petitioners no. 2 (Manisha Singh), 4 (Krishna Kumar Singh) and 5 (Sweta Singh) in Cr. Misc. No. 75805 of 2024 is concerned, which has been filed for quashing of the FIR being Nayagaon P.S. Case No. 184 of 2024, stands allowed.

28. The applications partly allowed and disposed of accordingly.

(Sourendra Pandey, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	18.02.2026
Uploading Date	27.02.2026
Transmission Date	27.02.2026

