IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4164 of 2023

CNR No. BRHC011094092022

Arising Out of PS. Case No.-42 Year-2022 Thana- MAHILA P.S. District- Patna

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Abhinay Verma, Son of Shri Anil Kumar Verma, R/O Flat No. 103, Vishnu Bhawan Complex, East Boaring Canal Road, Opposite Bharat Petroleum Pump, P.S.- Buddha Colony, District- Patna

... ... Petitioner/s

Versus

1. The State of Bihar
2. Ruchita Rohini, Wife of Shri Abhinay Verma, D/O Shri Ranjan Kumar, R/O 105, Ashirwad Apartments, Parmanand Path, Nageshwar Colony, Boring Road, District- Patna

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pushkar Narayan Sahi, Sr. Advocate
		Mr. Mohit Agarwal, Advocate
For the State	:	Mr. Md. Aslam Ansari, A.P.P.
For the O.P. No. 2	:	Mr. Rajendra Narain, Sr. Advocate
		Ms. Eashita Raj, Advocate
		Ms. Anju Kumari @ Anju Narain, Advocate
		Mr. Kanaya Kumar @ Kanhaiya Kumar, Advocate
		Ms. Annapurna Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

C.A.V. JUDGMENT

Date : 19-11-2026

1. Heard learned senior counsel for the petitioner, learned senior counsel for the O.P. No.2 and learned APP for the State.

2. The present application has been filed under Section 482 of the Code of Criminal Procedure, 1973, (hereinafter referred to as 'Cr.P.C.') seeking quashing of the order dated 23.09.2022 passed by the learned J.M.F.C., Patna Sadar, Patna, (hereinafter referred to as 'Magistrate') in connection with Mahila P.S. Case

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No.42 of 2022, whereby the learned Magistrate took cognizance for the offences punishable under Sections 341, 323, 504, and 498A read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') and Sections 3 & 4 of the Dowry Prohibition Act, 1961 against the accused persons including the present petitioner who is husband of the O.P. No.2.

3. By filing I.A. No.01 of 2025, the petitioner herein has further sought for quashing the subsequent order dated 28.11.2024 passed by the Court of learned S.D.J.M., Patna Sadar, Patna, in Mahila P.S. Case No.42 of 2022 (G.R. No.4164 of 2022) whereby the discharge application dated 16.12.2023 preferred by the present petitioner under Section 239 of the Cr.P.C. was rejected, and the order dated 12.03.2025 passed by the Court of learned Sessions Judge, Patna, (hereinafter referred to as 'Revisional Court') in connection with Criminal Revision No.129 of 2025, whereby the revision preferred against the aforesaid order dated 28.11.2024 was dismissed by the learned Revisional Court.

4. The prosecution case, in brief, is that the marriage of the informant (O.P. No.2) with the petitioner was solemnized on 09.07.2010 according to Hindu rites and rituals. It is alleged that at the time of marriage, the petitioner and his parents demanded a Honda City car and, thereafter, cash and other articles were also

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demanded. It is further alleged that shortly after marriage, the petitioner and his parents (co-accused) took away the jewellery of O.P. No.2, on the pretext of keeping the same in a bank locker and demanded Rs. 2 lakhs, pursuant to which her father allegedly paid four demand drafts of Rs. 25,000/- each. It is further alleged that during their honeymoon at Bali, Indonesia, on 17/18.07.2010, no physical relationship was established and O.P. No.2 came to know about the sexual disorder of the petitioner herein and requested for his treatment. It is further alleged that in September 2010 the petitioner went to New York, USA, while O.P. No.2 went to Delhi for her job and subsequently in November 2010, joined him in New York. Thereafter, in May 2013, both returned to Kolkata and, after treatment and medication, both were blessed with a girl child in 2017. It is further alleged that in April, 2018, the petitioner demanded Rs. 50 lakhs from the informant (O.P. No.2) for purchase of a flat at Kolkata and, upon her refusal, subjected her to physical and mental harassment. Incidents of assault are alleged to have occurred on 10.04.2019, in August 2021, on 07.11.2021 and on 14.02.2022. It is further alleged that on 14.02.2022, the petitioner and his mother again demanded Rs. 50 lakhs from the informant (O.P. No.2) and her father and assaulted her upon refusal. On the basis of the aforesaid allegations, F.I.R. bearing

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Mahila P.S. Case No.42 of 2022 dated 09.04.2022 was instituted against the petitioner and his parents for offences under Sections 323 and 498A read with Section 34 of the IPC and Sections 3 & 4 of the Dowry Prohibition Act. After completion of investigation, Investigating Officer submitted charge-sheet on 30.08.2022 bearing C.S. No.81 of 2022 against the petitioner and his parents for the offences punishable under Sections 341, 323, 504 and 498A read with Section 34 of the IPC, and Sections 3 & 4 of the Dowry Prohibition Act.

5. Upon perusal of materials available on record, the learned Magistrate found *prime facie* case being made out, and *vide* order dated 23.09.2022, took cognizance of the offences punishable under Sections 341, 323, 504, and 498A read with Section 34 of the IPC, and Sections 3 & 4 of the Dowry Prohibition Act against the petitioner and his parents. Thereafter, the petitioner filed an application under Section 239 of the Cr.P.C. seeking discharge, which came to be rejected by the learned Trial Court *vide* order dated 28.11.2024. Being aggrieved by the aforesaid order dated 28.11.2024 passed by the learned Trial Court, the petitioner further preferred Criminal Revision No.129 of 2025 before the learned Revisional Court, challenging the order rejecting the discharge application. The said revision petition also

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came to be dismissed *vide* order dated 12.03.2025 by the learned Revisional Court.

6. Being aggrieved by the aforesaid orders, the petitioner herein has preferred present Criminal Miscellaneous application.

7. Learned senior counsel appearing on behalf of the petitioner submitted that the impugned order dated 23.09.2022 passed by the learned Magistrate and the order dated 28.11.2024 passed by the learned S.D.J.M., Patna, rejecting the discharge application filed by the petitioner under Section 239 of the Cr.P.C., as well as the subsequent order dated 12.03.2025 passed by the learned Revisional Court, dismissing the criminal revision preferred against the same, suffer from non-application of judicial mind and are unsustainable in the eyes of law. It is submitted that aforesaid learned Courts have failed to examine the materials collected during investigation in their proper perspective.

8. Learned senior counsel for the petitioner further submitted that the allegations, even if taken at their face value, do not disclose the commission of the offences alleged against the petitioner. In particular, the allegations relating to the demand of a Honda City car and Rs.2,00,000/- immediately after marriage are not supported by the statements of the parents of the informant

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(O.P. No.2) recorded under Section 161 Cr.P.C. It is submitted that no particulars of the alleged demand drafts of Rs.25,000/- each have been brought on record, nor has any material been collected to establish the alleged payment. Similarly, the allegations of physical assault and restraint are not supported by any medical injury report, while the alleged independent neighbour, namely, Neha, has not been examined during investigation. Learned senior counsel further submitted that the statements relied upon by the prosecution, particularly those of the parents of O.P. No.2, are stated to be interested in nature, whereas the statement of the alleged caretaker does not disclose the identity of the apartment or the particular flat where the alleged occurrence took place. Learned senior counsel, therefore, submitted that the materials collected during investigation do not furnish a sufficient basis for presuming the commission of the alleged offences.

9. Learned senior counsel further submitted that the admitted sequence of events demonstrates that the dispute between the parties essentially arises out of matrimonial discord and incompatibility. It is pointed out that the petitioner had instituted a proceeding under Section 9 of the Hindu Marriage Act for restitution of conjugal rights on 09.03.2022, whereas the present F.I.R. came to be instituted on 09.04.2022. It is submitted that the

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subsequent developments, including the proceedings relating to anticipatory bail, the proposal for creation of a fixed deposit of Rs.15,00,000/- in the name of the minor daughter of the petitioner and O.P. No.2, and the subsequent modification application filed by the O.P. No.2, as well as the pending maintenance and guardianship proceedings, are relevant circumstances reflecting the nature of the matrimonial dispute. He submitted that the petitioner has also been complying with the order of interim maintenance passed by the learned Family Court and has been pursuing his legal remedies for visitation and custody of his minor daughter. It is, thus, submitted that the criminal prosecution has been instituted with an ulterior motive to exert pressure upon the petitioner in the ongoing matrimonial dispute and to compel him to agree to a divorce by mutual consent. He has referred the judgment of Hon'ble Supreme court in ***Belide Swagath Kumar v. State of Telangana and Anr.***, reported in ***2025 SCC OnLine SC 2890*** in support of his submission that criminal litigation cannot become a gateway or a tool to settle scores and pursue personal vendettas.

10. Learned senior counsel for the petitioner, in support of his submissions, placed reliance upon the judgment of the Hon'ble Supreme Court in ***State of Haryana and Others v. Bhajan Lal and Others***, reported in ***1992 Supp (1) SCC 335***,

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particularly the categories enumerated therein wherein the inherent jurisdiction of the High Court may be exercised to quash criminal proceedings to prevent abuse of the process of law. It is submitted that the present case falls within the parameters laid down in the aforesaid judgment, inasmuch as the allegations, even if taken at their face value and accepted in their entirety, do not disclose the essential ingredients of the offences alleged against the petitioner. Learned senior counsel referred the judgments of Hon'ble Supreme Court in ***Dipakbhai Jagdishchandra Patel v. State of Gujarat & Anr.***, reported in ***(2019) 16 SCC 547***; ***Kanchan Kumar v. State of Bihar.***, reported in ***(2022) 9 SCC 577*** and ***Dara Lakshmi Narayana & Ors. v. State of Telangana & Anr.***, reported in ***(2025) 3 SCC 735*** in support of his submission that at the time of framing charge, the Court does not act as a mere post office but the court must sift the material before it. The Court must be satisfied that with the materials available, a case is made out for the accused to stand trial. A strong suspicion suffices, however, a strong suspicion must be found on some materials on record. Learned senior counsel submitted that the facts and circumstances of this case clearly demonstrate that there is no *prima facie* case made out by the prosecution and the allegations of O.P. No.2 against the petitioner are not believable, therefore the petitioner

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was entitled to be discharged. Learned senior counsel, therefore, submitted that the continuation of the criminal proceedings, in the peculiar facts and circumstances of the case, would amount to an abuse of the process of the Court and, accordingly, prayed for quashing of the impugned orders as well as the entire criminal proceeding against the petitioner.

11. *Per contra*, learned senior counsel appearing on behalf of O.P. No.2, while opposing the prayer for quashing, submitted that the present application is misconceived and devoid of merit, as the F.I.R. as well as the materials collected during investigation disclose specific allegations constituting the offences alleged against the petitioner. It is submitted that the marriage between the petitioner and O.P. No.2 was solemnized on 09.07.2010 and, from the very inception of the matrimonial relationship, O.P. No.2 was subjected to harassment and cruelty on account of non-fulfilment of unlawful demands of dowry. Learned senior counsel submitted that there are specific allegations regarding the demand of a Honda City car at the time of marriage, subsequent demand of Rs. 2,00,000/-, and the alleged payment of four demand drafts of Rs. 25,000/- each by the father of O.P. No.2. It is further submitted that the jewellery and other *stridhan* articles of O.P. No.2 were taken away by the petitioner and his family

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members on the pretext of keeping them in a bank locker and were not returned despite repeated demands. Learned senior counsel further submitted that the demand subsequently escalated to Rs. 50,00,000/- for purchasing a flat at Kolkata and that, upon refusal to meet the said demand, O.P. No.2 was subjected to physical and mental cruelty. It is submitted that the F.I.R. also contains specific allegations of physical assault, including an incident dated 10.04.2019 when the petitioner allegedly snatched the minor daughter from O.P. No.2 and pushed her, as well as the subsequent incident dated 14.02.2022 when the petitioner, accompanied by his mother, allegedly assaulted O.P. No.2 at her parental residence upon her refusal to arrange the demanded amount of Rs. 50,00,000/-.

12. Learned senior counsel for O.P. No.2 further submitted that the investigation has culminated in submission of charge-sheet against the petitioner for the offences under Sections 341, 323, 504, 498A read with Section 34 of the IPC and Sections 3 & 4 of the Dowry Prohibition Act, and the materials collected during investigation, including the statements of witnesses recorded in paragraphs 4, 5 and 6 of the case diary, support the prosecution version. He further submitted that although the restitution of conjugal right under Section 9 of the Hindu Marriage

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Act was filed earlier by the present petitioner and the F.I.R. was registered thereafter by the informant (O.P. No.2) but the same was before the admission of that case and service of notice upon the informant (O.P. No.2). Learned senior counsel further submitted that the learned S.D.J.M., Patna Sadar, after considering the rival submissions and the materials available on record, rightly rejected the discharge application by order dated 28.11.2024, and the learned Revisional Court, upon consideration of the relevant legal principles and the materials placed before it, also found no illegality or impropriety warranting interference and dismissed the criminal revision by order dated 12.03.2025.

13. Learned senior counsel counsel, in support of the opposition to the prayer for quashing, placed reliance upon the principles laid down by the Hon'ble Supreme Court in ***Bhajan Lal (supra)***, and submitted that the inherent jurisdiction of this Court is to be exercised sparingly and only in the exceptional categories recognised therein. Reliance is also placed upon ***M. Jayanthi v. K.R. Meenakshi and Another***, reported in ***2019 SCC OnLine SC 2058***; and ***Neeharika Infrastructure Private Limited v. State of Maharashtra and Ors.***, reported in ***(2021) 19 SCC 401***, to submit that the High Court, while exercising jurisdiction under Section 482 Cr.P.C., ought not to embark upon an enquiry into the

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reliability or genuineness of the allegations or conduct a mini-trial. Further reliance is placed upon ***Central Bureau of Investigation v. Arvind Khanna,*** reported in ***(2019) 10 SCC 686****, and* ***Kaptan Singh v. State of Uttar Pradesh and Others****,* reported in ***(2021) 9 SCC 35***, to submit that disputed questions of fact and the defence of the accused cannot ordinarily be examined at the stage of quashing, particularly when the allegations in the F.I.R. and the materials collected during investigation disclose the commission of cognizable offences. It is, accordingly, submitted that the petitioner is attempting to give a different colour to the matrimonial dispute by relying upon his own version of events and certain disputed documents, whereas the allegations levelled by O.P. No.2 disclose a *prima facie* case requiring adjudication at trial.

14. Learned senior counsel, therefore, submitted that the present case does not fall within any of the exceptional categories warranting exercise of inherent jurisdiction and that the application, including the challenge to the subsequent orders rejecting discharge and dismissing the criminal revision, is fit to be dismissed.

15. Learned A.P.P. appearing on behalf of the State submitted that after completion of the investigation and collection

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of credible evidence against the accused persons, the Investigating Officer has submitted charge-sheet and subsequently, the learned Magistrate, after applying his judicial mind, has taken cognizance for the aforesaid offences against the accused persons. He further submitted that the impugned orders have been passed in accordance with law based on the materials available on record and the same require no interference by this Court in the present proceeding under Section 482 of the Cr.P.C. Therefore, it is prayed for dismissal of the present application.

16. I have heard learned senior counsel appearing on behalf of both the parties and the learned A.P.P. for the State. I have also carefully perused the materials available on record, including the F.I.R., the police report along with the materials collected during investigation, the impugned order taking cognizance dated 23.09.2022, the order dated 28.11.2024 passed by the learned S.D.J.M., Patna, rejecting the discharge application filed by the petitioner under Section 239 of the Cr.P.C., the order dated 12.03.2025 passed by the learned Revisional Court, dismissing the criminal revision, as well as the pleadings and documents brought on record by the respective parties. Having regard to the rival submissions advanced on behalf of the parties and the materials available on record, the principal issue which

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falls for consideration before this Court is: *"whether the allegations made in the F.I.R., taken at their face value and considered in the light of the materials collected during investigation, disclose the essential ingredients of the offences alleged against the petitioner so as to justify continuation of the criminal proceedings?"*

17. Before adverting to the rival submissions and examining the materials available on record, it would be apposite to briefly notice the scope and ambit of the inherent jurisdiction of this Court under Section 482 of the Cr.P.C. It is also trite that while exercising power under this Section, this Court does not function as a Court of appeal or revision. The inherent power of the High Court is of wide amplitude, but its exercise is circumscribed by self-imposed limitations and is intended to secure the ends of justice, prevent abuse of the process of any Court and give effect to the orders passed under the Cr.P.C. Such power is to be exercised sparingly, carefully and with proper caution to serve real and substantial justice for the administration of which alone this Court exists and not to be exercised as a matter of routine or in a manner which may stifle a legitimate prosecution. At the same time, where the allegations made in the F.I.R. or the materials collected during investigation, even if taken at their face value and

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accepted in their entirety, do not *prima facie* constitute any offence, or where the criminal proceeding is manifestly attended with *mala fide* and has been instituted with an ulterior motive, the High Court would be justified in exercising its inherent jurisdiction to prevent abuse of the process of law.

18. In the celebrated judgment of ***Bhajan Lal (supra)***, the Hon'ble Supreme Court has illustratively enumerated the categories of cases in which the inherent jurisdiction of the High Court may be exercised for quashing criminal proceedings. The underlying principle is that the High Court, while exercising such jurisdiction, is neither required to conduct a meticulous examination of the evidence nor to embark upon an enquiry into the reliability or genuineness of the allegations. However, the Court is equally not expected to act merely as a post office for the prosecution and must examine whether the allegations and the materials collected during investigation, on their face, disclose the commission of the offences alleged.

19. In the context of the present case, where the petitioner seeks quashing not only of the F.I.R. and the order taking cognizance but also of the subsequent orders rejecting his discharge application and dismissing the criminal revision, this Court is required to examine the matter within the well-recognised

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parameters governing the exercise of inherent jurisdiction. The fact that the investigation has culminated in submission of a charge-sheet or that the discharge application has been rejected by the learned S.D.J.M., Patna Sadar and affirmed by the Revisional Court does not, by itself, foreclose the jurisdiction of this Court under Section 482 of the Cr.P.C. Equally, the existence of matrimonial discord between the parties or the pendency of other matrimonial proceedings cannot, by itself, furnish a ground for quashing a criminal prosecution where the allegations otherwise disclose the commission of an offence. The decisive consideration, therefore, would be whether the allegations, read as a whole and tested against the materials collected during investigation, disclose a *prima facie* case against the petitioner or whether permitting the prosecution to continue would amount to an abuse of the process of law.

20. Upon consideration of the materials available on record in the light of the aforesaid settled principles, this Court finds that the marriage between the petitioner and O.P. No.2 was solemnized on 09.07.2010 and the parties continued to reside together at different places during the course of their matrimonial life. From the prosecution version itself, it appears that both the parties were employed and had also resided together outside India.

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A daughter was born out of the wedlock in the year 2017. The allegations of demand of dowry and consequent harassment are stated to have commenced immediately after the marriage in the year 2010, and continued till lodging of the F.I.R. The allegation against the petitioner (husband of O.P. No.2) in the F.I.R. contains specific dates, time, events and overt acts which is supported by witnesses recorded in the case diary. The Investigating Officer found sufficient incriminating materials and submitted the charge-sheet and the learned Magistrate, on the basis of materials available on record, took cognizance for the aforesaid offences. The discharge petition filed on behalf of the petitioner was dismissed by the learned S.D.J.M., Patna Sadar *vide* the order dated 28.11.2024, and subsequently, the criminal revision against the said order passed by the learned Trial Court has also been dismissed by the learned Revisional Court *vide* the order dated 12.03.2025, observing that at the time of hearing a discharge application, the Court is not permitted to conduct a meticulous examination or a roving inquiry of the materials collected during the course of investigation.

21. It is also substantial to note that the F.I.R. lodged by O.P. No.2 cannot be held as a counter-blast of the petition for restitution of conjugal rights filed by the present petitioner before

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the concerned Court in view of the fact that the notice of the proceedings for restitution of conjugal rights had neither been issued nor served upon O.P. No.2. Therefore, it is noted that O.P. No.2 had no knowledge of the said proceeding initiated by the present petitioner.

22. Moreover, it is pertinent to note that the case of O.P. No.2 is that she maintained patience and silence, and tried to lead conjugal life with the present petitioner by living in his society with intention to save her matrimonial life. However, when cruelty towards her increased to such an extent where reconciliation was not possible, then she decided to lodge the F.I.R. complaining about the cruelty meted out to her, therefore, it cannot be said that the F.I.R. has been filed after an unexplained delay or it is a counter-blast to the petition for restitution of conjugal rights filed by the present petitioner. Even otherwise, mere delay in lodging F.I.R. in continuing offences as such in the present case, cannot by itself be a ground to quash the criminal proceedings under Section 482 of the Cr.P.C.

23. Furthermore, it is well settled that at the time of framing of the charge, it can be decided as to whether *prima facie* case has been made out showing commission of an offence and involvement of the persons charged with such offences. At that

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stage, meticulous examination of evidence is not permitted. Charge can be framed, if there are materials showing possibilities about the commission of the offence as against certainty. The acceptability of the materials to fasten culpability on the accused is a matter of trial.

24. The Hon'ble Supreme Court in ***Kaptan Singh (supra)*** has finely observed with respect to the disputed questions of fact and the defence of the accused at the stage of quashing, particularly when the allegations in the F.I.R. and the materials collected during investigation disclose the commission of cognizable offences, as herein under:

> ***"9.1.*** *At the outset, it is required to be noted that in the present case the High Court in exercise of powers under Section 482 CrPC has quashed the criminal proceedings for the offences under Sections 147, 148, 149, 406, 329 and 386 IPC. It is required to be noted that when the High Court in exercise of powers under Section 482 CrPC quashed the criminal proceedings, by the time the investigating officer after recording the statement of the witnesses, statement of the complainant and collecting the evidence from the incident place and after taking statement of the independent witnesses and even statement of the accused persons, has filed the charge-sheet before the learned Magistrate for the offences under Sections 147, 148, 149, 406, 329 and 386 IPC and even the learned Magistrate also took the cognizance. From the impugned judgment and order [Radhey Shyam Gupta v. State of U.P., 2020 SCC OnLine All 914] passed by the High Court, it does not*

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appear that the High Court took into consideration the material collected during the investigation/inquiry and even the statements recorded. If the petition under Section 482 CrPC was at the stage of FIR in that case the allegations in the FIR/complaint only are required to be considered and whether a cognizable offence is disclosed or not is required to be considered. However, thereafter when the statements are recorded, evidence is collected and the charge-sheet is filed after conclusion of the investigation/inquiry the matter stands on different footing and the Court is required to consider the material/evidence collected during the investigation. Even at this stage also, as observed and held by this Court in a catena of decisions, the High Court is not required to go into the merits of the allegations and/or enter into the merits of the case as if the High Court is exercising the appellate jurisdiction and/or conducting the trial. As held by this Court in Dineshbhai Chandubhai Patel [Dineshbhai Chandubhai Patel v. State of Gujarat, (2018) 3 SCC 104 : (2018) 1 SCC (Cri) 683] in order to examine as to whether factual contents of FIR disclose any cognizable offence or not, the High Court cannot act like the investigating agency nor can exercise the powers like an appellate court. It is further observed and held that that question is required to be examined keeping in view, the contents of FIR and prima facie material, if any, requiring no proof. At such stage, the High Court cannot appreciate evidence nor can it draw its own inferences from contents of FIR and material relied on. It is further observed it is more so, when the material relied on is disputed. It is further observed that in such a situation, it becomes the job of the investigating authority at such stage to probe and then of the court to examine questions once the charge-sheet is filed along with such material as to how far and to what extent reliance can be placed on such material.

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> ***9.2.*** *In Dhruvaram Murlidhar Sonar [Dhruvaram Murlidhar Sonar v. State of Maharashtra, (2019) 18 SCC 191 : (2020) 3 SCC (Cri) 672] after considering the decisions of this Court in Bhajan Lal [State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335 : 1992 SCC (Cri) 426] , it is held by this Court that exercise of powers under Section 482 CrPC to quash the proceedings is an exception and not a rule. It is further observed that inherent jurisdiction under Section 482 CrPC though wide is to be exercised sparingly, carefully and with caution, only when such exercise is justified by tests specifically laid down in the section itself. It is further observed that appreciation of evidence is not permissible at the stage of quashing of proceedings in exercise of powers under Section 482 CrPC. Similar view has been expressed by this Court in Arvind Khanna [CBI v. Arvind Khanna, (2019) 10 SCC 686 : (2020) 1 SCC (Cri) 94], Managipet [State of Telangana v. Managipet, (2019) 19 SCC 87 : (2020) 3 SCC (Cri) 702] and in XYZ [XYZ v. State of Gujarat, (2019) 10 SCC 337 : (2020) 1 SCC (Cri) 173] , referred to hereinabove.”*

25. It is well settled that at the stage of exercising jurisdiction under Section 482 Cr.P.C., this Court is not required to conduct a mini-trial or determine the veracity of each and every allegation. Moreover, having considered the judgments relied upon and referred to by learned senior counsel appearing on behalf of O.P. No.2, this Court finds that the principles laid down by the Hon’ble Supreme Court in ***Bhajan Lal (supra)***, ***Neeharika Infrastructure Private Limited (supra)***, and ***Kaptan Singh (supra)***, are well settled and have been duly taken into

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consideration while examining the present matter. There can be no quarrel with the proposition that the inherent jurisdiction under Section 482 Cr.P.C. is to be exercised sparingly and that the High Court ought not to conduct a mini-trial or undertake a meticulous appreciation of the evidence at the stage of quashing.

26. In the considered opinion of this Court, the cumulative effect of the circumstances noticed hereinabove persuades this Court to hold that there are ample grounds for a *prima facie* case to be made out against the present petitioner and the learned Magistrate has rightly taken cognizance for the offences punishable under Sections 341, 323, 504, and 498A read with Section 34 of the IPC and Sections 3 & 4 of the Dowry Prohibition Act. The subsequent order dated 28.11.2024 passed by the learned S.D.J.M., Patna Sadar dismissing the discharge application and the order dated 12.03.2025 passed by the learned Revisional Court dismissing the revision petition are appropriate in view of the principles discussed hereinabove. Consequently, the case warrants no interference by this Court in exercise of its inherent jurisdiction under Section 482 of the Cr.P.C.

27. Resultantly, the impugned order dated 23.09.2022 taking cognizance, the subsequent order dated 28.11.2024 rejecting the discharge application filed by the petitioner and the

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revisional order dated 12.03.2025 passed by the learned Sessions Judge, Patna, are hereby affirmed.

28. The present Criminal Miscellaneous application is, accordingly, dismissed.

29. Interim Order(s), if any, stands vacated.

30. It is clarified that this Court has not expressed any opinion on the merit of the case.

31. Let a copy of this judgment be transmitted to the Court concerned forthwith for needful and compliance.

(Sunil Dutta Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	27.10.2026
Uploading Date	19.11.2026
Transmission Date	19.11.2026

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