

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No. 890 of 2020

1. Vikram Jaiswal @ Vikram Kumar Jaiswal @ Kunal
2. Ramesh Jaiswal
3. Vivek Jaiswal @ Vishal
4. Pushpa Devi.....

Petitioner(s)

Versus

1. State of Jharkhand
2. Pirya Kumari.....

Opp. Party(s)

.....

Coram: Hon'ble Mr. Justice Ananda Sen
Through:-Video Conferencing

For the Petitioner
For the State

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: Mr. Ranjan Kumar, Advocate
: Mrs. Lily Sahay, A.P.P.

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3/10.09.2020 The lawyers have no objection with regard to the proceeding, which has been held through video conferencing today at 11.00 A.M. They have no complaint in respect to the audio and video clarity and quality.

This case was listed/ supposed to be listed before the Lawazima Board for passing an order in respect of the defects, pointed out by the office.

Considering the pandemic situation where the Court has minimized the footfall of the lawyers and their Clerks in the Court, this court felt proper to get all the cases listed before this Court so that the defects can be looked into at this stage only. Thus, this case is listed today before this Court directly.

Learned counsel for the petitioner prays to ignore the defect and take up the matter on merits.

Learned counsel for the petitioner undertakes to deposit the deficit court fee, if any, within two weeks from today. Rest of the defects stand ignored.

Heard the parties.

The petitioner, in this application, has prayed to quash the FIR being Tundi P.S. Case No. 30 of 2019, registered for the offence punishable under Sections 498 A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the wife has taken the entire money, thus, the FIR has to be quashed. He further submits that till date charge sheet has not been submitted.

It is well settled principle of law that if cognizable offence is made out, the FIR cannot be quashed. While I go through the FIR, I find that there is allegation of demand of dowry and payment of the same. There is

further allegation of torture physically and mentally upon the informant, which is apparent from bare perusal of the FIR itself.

Considering the aforesaid fact, I find no ground to quash the FIR. Accordingly, this criminal miscellaneous petition stands dismissed.

However, the petitioner would be at liberty to raise all the points, which have been raised in this petition, at an appropriate stage.

(Ananda Sen, J)