

ITEM NO.28

COURT NO.8

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 9743/2025

[Arising out of impugned final judgment and order dated 25-02-2025 in CRWJC No. 1072/2022 passed by the High Court of Judicature at Patna]

VINAY PASWAN

Petitioner(s)

VERSUS

THE STATE OF BIHAR &amp; ORS.

Respondent(s)

IA No. 155639/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 155636/2025 - EXEMPTION FROM FILING O.T.

IA No. 155635/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 16-12-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) : Mr. Chandan Kumar, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. Since the First Information Report<sup>1</sup> was registered on the basis of an order passed by the magistrate concerned on an application under Section 156(3) of the Code of Criminal Procedure, 1973, which was not supported by an affidavit, no FIR ought to have been registered. We take this view based on the decision of this Court in **Priyanka Srivastava & Anr. vs. State of Uttar Pradesh & Ors.**<sup>2</sup>. Accordingly, quashing of the complaint as well as the FIR by the High Court, *albeit* on different grounds, cannot be faulted.

<sup>1</sup> FIR

<sup>2</sup> (2015) 6 SCC 287

2. The special leave petition is, accordingly, dismissed.
3. Pending interlocutory application(s), if any, shall stand disposed of.

**(JATINDER KAUR)**  
**P.S. to REGISTRAR**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**