



CrPC S. 482 — Inherent Powers of High Court — Quashing - Where the process of the Court is sought to be abused by a person with some oblique motive, the Court has to thwart the attempt at the very threshold

**Criminal Procedure Code, 1973 — S. 482 — Inherent Powers of High Court — [quashing](#) — IPC S. 452, 376(d) and 323 — Contention - Summoning of the accused of such serious offence cannot be a mechanical exercise in the facts and circumstances of the case and material collected during investigation which were part of the Final Report were required to be adverted to by the Court while rejecting the Final Report - Inherent power given to the High Court under Section 482 CrPC is with the purpose and object of advancement of justice - In case solemn process of Court is sought to be abused by a person with some oblique motive, the Court has to thwart the attempt at the very threshold - Judicial process is a solemn proceeding which cannot be allowed to be converted into an instrument of oppression or harassment. When there are materials to indicate that a criminal proceeding is manifestly attended with mala fide and proceeding is maliciously instituted with an ulterior motive, the High Court [will](#) not hesitate in exercise of its [jurisdiction](#) under Section 482 CrPC to quash the proceeding - The present is a fit case where the High Court ought to have exercised its jurisdiction under Section 482 CrPC and quashed the [criminal proceedings](#).**

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