

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 37428 of 2014

Arising out of PS.Case No. -584 Year- 2012 Thana -PATNA
COMPLAINT CASE District- PATNA

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1. Putul Kumari D/o Rajendra Maharaj.
2. Priti Kumari D/o Rajendra Maharaj. Both R/o Village Abirpur,
P.S. Bhagwanpur, District Vaishali at present residing at Quarter
No. 40, Raj Bhawan, P.S. Sachiwalaya, District Patna
.... Petitioner/s

Versus

1. The State of Bihar
2. Smt Rubi Kumari Wife of Sanjeet Kumar Maharaj, D/o Shri Baid
Nath Sharma R/o Chitragupta Nagar, Bikramganj, P.s.
Bikramganj, District Rohtas, at present residing at LIG Flat No.
4/133, Hanuman Nagar, P.S. Patrakar Nagar, District Patna
.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Adv.
For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-09-2015

The Petitioners who are the unmarried sister-in-law seek quashing of the order of cognizance dated 22.08.2012 passed by the Sub-divisional Judicial Magistrate, Patna in Complaint Case No. 584(C) of 2012.

The case of the Complainant is that she was married to the brother of Petitioners on 25.05.2011 whereafter she came to her matrimonial home but she was taunted on account of poverty and insufficient dowry. Later, they also assaulted her for which she gave the present written Complaint to the Officer In-charge.

It has been submitted on behalf of the

Petitioners that fact of the matter is that the husband had some grouse with his wife on account of her physical ailment and there was strained relation-ship. Taking a false plea of demands of dowry etc. the present Complaint was filed with trumped up charges.

On the other hand, Counsel for the Complainant submits that the Petitioners were involved in demanding dowry they should be put on trial.

Having considered that the Petitioners are unmarried sisters-in-law and young in age it is highly unlikely that would be responsible for demanding the dowry. Hence, the proceeding including the order of cognizance dated 22.08.2012 passed by the Sub-divisional Judicial Magistrate, Patna in Complaint Case No. 584(C) of 2012 is, hereby, set aside so far as the Petitioners are concerned.

The Application stands allowed.

(Anjana Prakash, J.)

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