

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31625 of 2013

Arising Out of PS.Case No. -619 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

- =====
1. Binod Sharma Son Of Late Jagdish Sharma
 2. Munni Devi Wife Of Binod Sharma
 3. Pramod Kumar Sharma Son Of Binod Sharma
 4. Kishore Kumar Sharma Son Of Binod Sharma, all Resident Of Village -
Pipratoli, P.S. - Khunti, Dist. Khunti (Jharkhand)
 5. Khushbu Sharma D/O - Ashok Sharma Resident Of Triveni Nagar, P.S. -
Daliganj, District - Lucknow

.... Petitioner/s

Versus

1. The State Of Bihar
2. Abhya Shree w/o Rajiv Kumar Sharma, D/o Shri Jai Prakash Sharma, at present
address at Mirchaibari, P.S. and Dist. Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma, Advocate
For the Opposite Party/s : Mr. S. Eheteshamuddin, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-09-2015

The Petitioners, who are the in-laws of the Opposite
Party No.2, seek quashing of the order of cognizance dated 11.6.2013
passed by the S.D.J.M., Katihar in Complaint case No.619 of 2013.

The case of the Complainant is that she was married to
Rajeev Kumar Sharma on 25.4.2012, whereafter she came to her
matrimonial home. However she was tortured for ends of dowry and
compelled to leave her matrimonial home on 9.4.2007 and hence the
present Complaint.

It has been submitted on behalf of the Petitioners that

fact of the matter is that the Complainant hardly stayed for a few days in her matrimonial home in which period her behaviour was very undesirable and she left the house. The husband then filed Matrimonial Suit for restitution of conjugal rights which indicates that the problem lay elsewhere.

Notices had been issued to the Opposite Party No.2 but none appears on her behalf.

Having accepted the documentary evidence and vague nature of allegations, the application is allowed and the proceeding including the order of cognizance dated 11.6.2013 passed by the S.D.J.M., Katihar in Complaint case No.619 of 2013 is hereby set aside so far as the Petitioners are concerned.

(Anjana Prakash, J)

Narendra/-

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