

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16679 of 2014

Arising Out of PS.Case No. -599 Year- 2007 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Ramjanam Singh Son Of Late Lakhan Singh Resident Of Village- Ramdev Chak,
P.O.- Bhewar Sikariya, P.S. + District- Jehanabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. Mahjusha Devi Wife Of Indrajeet Singh C/O Ram Swroop Singh Resident Of
Village- Jamuara, P.O.- Mirzapur, P.S.- Hilsa, District- Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-03-2015

No one appears on behalf of the Petitioner.

The Petitioner seeks quashing of the order of cognizance dated 19.3.2008 passed by the Judicial Magistrate, 1st class, Hilsa at Nalanda in Complaint case No.599C of 2007.

The case of the Complainant is that she was married to the son of the Petitioner in the year 2001 but she was tortured for ends of dowry and ousted from the matrimonial home. She then filed Complaint case No.120C of 2006 against the in-laws in which her husband went behind the bars. Thereafter her husband remarried with one Reshma Devi on 26.7.2007. So she went to complain to her in-laws. However some of the accused persons misbehaved with the

father of the Complainant. She alleged that the Petitioner knowingly that her husband was married had performed his second marriage with another lady.

On going through the Complaint Petition, I am unable to satisfy myself that any offence would be made out against the Petitioner since it appears highly unlikely that he would participate in the second marriage of his son. Moreover the difference between the two marriages which is six years further creates a doubt as to the involvement of the Petitioner in the acts of his son.

Hence, the application is allowed and the proceeding as against all the accused persons excluding accused no.1 Indrajeet Singh including the order of cognizance dated 19.3.2008 passed by the Judicial Magistrate, 1st class, Hilsa at Nalanda in Complaint case No.599C of 2007 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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