

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45985 of 2014

Arising Out of PS.Case No. -3204 Year- 2009 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Sanjay Kumar @ Sanjay Kumar Barnawal Son of Rajendra Prasad Barnawal
Resident of Hajiganj, Patnacity, Near Punjab and Sindh Bank, P.S. Chowk, Town –
Patnacity, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Sangeeta Kumari Singh @ Nisha Sagar wife of Deepak Sagar Resident of Flat
No. 501, Block - A Bansal Tower, Bhattacharya Road, P.S. Gandhi Maidan, District
- Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 20-08-2015

The petitioner who was brother-in-law of the O.P. No. 2 seeks quashing of the order of none discharge dated 27.06.2014 passed by the S.D.J.M. Patna in Complaint Case No. 3204C of 2009.

The case of the complainant is that she was married to the brother of the petitioner on 20.01.1998 which was inter caste marriage. However, in-laws did not permit her to move in and join the matrimonial house and subsequently customary marriage was performed on 03.04.1999 and a son was born out of the wedlock. Later the husband developed illicit relationship with another girl and started torturing her. Then she made complaint to the Helpline. The

husband appeared there along with others and created a nuisance on account of which the present complaint was filed.

It has been submitted on behalf of the petitioner that the husband and wife had some issue between themselves on account of which two cases had been instituted. So far as the petitioner is concerned he is brother-in-law and has been roped in the present case only to harass him.

Notices had been issued to the O.P. No. 2 but she has chosen not to appear before this Court.

Considering the background facts of the case and the nature of allegations, this application is allowed and the order of none discharge dated 27.06.2014 passed by the S.D.J.M. Patna in Complaint Case No. 3204C of 2009 so far as petitioner is concerned, is hereby set aside.

(Anjana Prakash, J)

Prakash/-

U		T	
---	--	---	--