

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43880 of 2013

Arising Out of PS.Case No. -114 Year- 2012 Thana -AKBARPUR District- NAWADA

Meenakshi Singh D/o Mathura Prasad Singh, resident of village Lamhara, P.O. & P.S. Gehlaun, District Kanpur Dehat (U.P.), at present D-364, Man Sarovar Township, Chandkheda, Ahmedabad (Gujrat)

.... Petitioner/s

Versus

1. The State of Bihar
2. Renu Singh wife of Ranvijay Singh, D/o Amresh Kumar Singh, resident of village Bareo, P.S. Akbarpur, District Nawada

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 23-07-2015

No one appears on behalf of the Opposite Party No.2.

The Petitioner, who is the alleged second wife of the husband of the Complainant, seeks quashing of the order of cognizance dated 12.7.2013 passed by the Chief Judicial Magistrate, Nawada in Akbarpur P.S. case No.114 of 2012.

The case of the Informant is that she was married to Ranvijay Singh on 18.5.1997 but he started torturing her, even though two children were born out of the wedlock. While her husband was at the place of posting he allegedly became intimate with the Petitioner and both of them threatened her of dire consequences if she did not divorce the husband. The Petitioner was already married to another person despite which she carried on this relationship.

It has been submitted that as conceded by the Informant in the First Information Report the Petitioner is already married and content in the same and she had no relationship with the husband of the Informant but unfortunately the Informant suspected an affair. The allegations are mere speculation, on account of which the Petitioner has been unnecessarily roped in the present case.

In the nature of dispute the matter was referred to the Mediation Centre but the Informant did not appear there.

Having considered the nature of allegations which have no factual basis, the application is allowed and the proceeding so far as the Petitioner is concerned including the order of cognizance dated 12.7.2013 passed by the Chief Judicial Magistrate, Nawada in Akbarpur P.S. case No.114 of 2012 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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