

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12199 of 2013

Arising Out of PS.Case No. -442 Year- 2012 Thana -AURANGABAD COMPLAINT CASE
District- -

- =====
1. Sudama Mehta @ Birendra Kumar Mehta S/O Late Gulamchand Mehta Resident Of Village- Kolhuapur, P.S.- Hariharganj, District- Palamu
 2. Mantu Kumar S/O Sudama Mehta Resident Of Village- Kolhuapur, P.S.- Hariharganj, District- Palamu
 3. Siwanath Mehta S/O Sudama Mehta Resident Of Village- Kolhuapur, P.S.- Hariharganj, District- Palamu
 4. Hansraj Mehta @ Hansraj Kumar Mehta S/O Shri Bhagwati Mehta Resident Of Shahpur, P.S.- Aurangabad (T), District- Aurangabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. Deo Nandan Prasad S/O Late Lakshman Mehta Resident Of Village- Dadhapa, P.S.- Kutumba, District- Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 15-09-2015

The petitioners seek quashing of the order of cognizance dated 14.02.2013 passed by the Judicial Magistrate 1st Class, Aurangabad in Complaint Case No. 442 of 2012/Tr. No. 2069 of 2013.

The case of the complainant is that his son was married to the daughter of the Petitioner no. 1 after which she came to her matrimonial home. However, the petitioners started disturbing them and daughter-in-law also disappeared with valuable articles of the

house.

It has been submitted on behalf of the petitioners that evidently the allegations are absurd. The son of the complainant had filed Divorce Suit on 24.05.2012 and in order to buttress the allegations of the divorce suit, the present complaint has also been filed maliciously.

It has been submitted on behalf of the complainant that since the petitioners have misbehaved him they should be put on trial.

Having considered the relationship between the parties and the nature of absurd allegations, the present complaint deserves to be set aside. Hence the application is allowed and the order of cognizance dated 14.02.2013 passed by the Judicial Magistrate 1st Class, Aurangabad in Complaint Case No. 442 of 2012/Tr. No. 2069 of 2013, is hereby set aside.

(Anjana Prakash, J)

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