

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 10642 of 2013

Arising Out of PS.Case No. -1878 Year- 2012 Thana -VAISALI COMPLAINT CASE District- -

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1. Ratnesh Singh @ Ratnesh Kumar Singh Late Rajendra Singh Rasulpur, Turki, P.S. Bhagwanpur, Distt. Vaishali
 2. Chinta Devi W/O Ratnesh Singh Rasulpur, Turki, P.S. Bhagwanpur, Distt. Vaishali
 3. Kiran Devi @ Kiran Kumari D/O Ratnesh Singh Rasulpur, Turki, P.S. Bhagwanpur, Distt. Vaishali

.... Petitioner/s

Versus

1. State Of Bihar
2. Monika Kumari @ Monika Devi W/O Deepak Kumar Rasulpur, Turki, P.S. Bhagwanpur, Distt. Vaishali

.... 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: 06-10-2015

The petitioners who are in-laws seek quashing of the order of cognizance dated 13.12.2012 passed by the Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. 1878 of 2012, Tr. No. 4352 of 2012.

The case of the complainant is that she was married to the son of the Petitioners no. 1 and 2 on 31.05.2010 where after she went to her matrimonial home. At the time of marriage it was disclosed that the petitioner was working in export and import private company at Delhi but when she started residing in Delhi her husband used to return late night and on query her husband was not giving satisfactory reply which resulted in some altercation. She also suspected that her husband having illicit relationship with some one. The husband

demanded more money to maintain good relationship and even after payment of money, he got married with another girl. Hence she filed the present complaint.

It has been submitted on behalf of the petitioners that from the narrative of the complaint petition it is evident that the complainant was living in Delhi and the dispute was between the spouses for the reasons stated therein. Evidently the petitioners had no role to play in the relationship between the spouses. The allegations as regards the demand of dowry subsequently for maintaining good relation is evidently not proper and reliable.

It has been submitted on behalf of the complainant that since the petitioners are family members and they contributed in unhealthy relationship, they should be put on trial.

Having considered that the main allegation is against the husband of demand of dowry and the petitioners are in-laws, the application is allowed and the order of cognizance dated 13.12.2012 passed by the Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. 1878 of 2012, Tr. No. 4352 of 2012 as against them is hereby set aside.

(Anjana Prakash, J)

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