

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17250 of 2013

Arising Out of Complaint Case No.1451C Year- 2011 District- BEGUSARAI

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1. Rinku Kumari D/O Late Parmanand Singh
2. Pankaj Singh S/O Late Parmanand Singh
3. Pappu Singh S/O Late Parmanand Singh
4. Nitu Devi @ Nitu Kumari W/O Sri Pappu Singh
5. Rita Devi W/O Sri Pankaj Singh
6. Bimla Devi W/O Late Parmanand Singh
All R/O Village - Madhurapur Purvari Tola, P.S. Fulwaria, District - Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. Ruma Devi @ Roma Devi, w/o Gopal Kumar R/O Village - Madhurapur, P.S. Fulwaria, District - Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the State : Mr. Indu Kumar Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 06-10-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners who are the in-laws of the Opposite Party No. 2 seek quashing of the order of cognizance dated 4.9.2012 passed by the Sub Divisional Judicial Magistrate, Begusarai, in Complaint Case No. 1451C of 2011.

The case of the Complainant is that she was married to Gopal Kumar on 14.6.2010 after which she went to her matrimonial home. Initially, she was kept well but later on, the in-laws started demanding dowry and threatened to burn her. Despite several rounds of Panchayti, things did not improve. She alleged that her husband had illicit relationship with her sister-in-law and, therefore, had attempted to kill her.

It has been submitted that fact of the matter was that the Complainant had abandoned her after getting involved with one Gopal Kumar who after been given employment in CISF, refused to marry her, and then, she filed the present Complaint. The Informant used to live with the said Gopal Kumar. Evidently, from the Complaint petition, it appears that the main grouse was against her husband who was allegedly having an illicit relationship with the sister-in-law.

On the last occasion, notices had been issued to the Opposite Party No. 2 but none appears on her behalf.

Having considered the oral nature of allegations which is sweeping and vague in nature, the application is allowed and the Proceeding including the order of cognizance dated 4.9.2012 passed by the Sub Divisional Judicial Magistrate, Begusarai, in Complaint Case No. 1451C of 2011 so far as the Petitioners are concerned, is hereby set aside.

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(Anjana Prakash, J)

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