

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16694 of 2013

Arising Out of PS.Case No. -546 Year- 2011 Thana -BUXAR COMPLAINT CASE District-
BUXAR

- =====
1. Suresh Ram S/O Gariban Ram Resident Of Village- Rampur, Police Station- Rajpur, District- Buxar.
 2. Gariban Ram S/O Late Haribansh Ram Resident Of Village- Rampur, Police Station- Rajpur, District- Buxar.
 3. Tara Devi W/O Gariban Ram Resident Of Village- Rampur, Police Station- Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Punam Devi W/O Suresh Ram, D/O Parash Nath Ram @ Parash Ram Present Resident Of Village- Puraini, P.S.- Rajpur, District- Buxar

.... 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: 12-10-2015

Learned counsel for the petitioners seeks permission to withdraw the application so far as the Petitioner no. 1 is concerned to pursue other remedy in accordance with law.

It is dismissed as such.

The rest of the two petitioners who happens to be the parents-in-law seek quashing of the order of cognizance dated 22.11.2011 passed by the S.D.J.M, Buxar in Case No. Case No. 546C of 2011, Tr. No. 1264 of 2013.

The case of the complainant is that she was married to the

Petitioner no. 1 on 23.05.2010 on which occasion large number of gifts were given to the in-laws. However, when she went to the matrimonial home the accused persons started torturing her for ends of dowry and finally she was ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that in the complaint petition there is no specific allegation with regard to the Petitioners no. 2 and 3. Hence putting them on trial would be unfair.

On the other hand counsel for the complainant submits since the petitioners were parents-in-law they were duty bound to ensure her safety.

Having considered that the allegations against the petitioners are vague and omnibus in nature which will make the trial a nullity, the application is allowed and the order of cognizance dated 22.11.2011 passed by the S.D.J.M, Buxar in Case No. Case No. 546C of 2011 Tr. No. 1264 of 2013 is hereby set aside.

(Anjana Prakash, J)

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