

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.16597 of 2009**

Arising Out of PS.Case No. -0 Year- null Thana -null District- SAMASTIPUR

Kalpana Kumari @ Kalpana Devi @ Bhuli

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.

Mr. Vitesh Kr.Singh, Adv.

For the State : Mr. R.B. Roy Raman, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 17-07-2015**

No one appears on behalf of the petitioner.

The petitioner seeks quashing of the order dated 26.02.2009 passed by the Sessions Judge, Samastipur in Cr. Revision No. 260 of 2008 by which he has affirmed the order dated 13.05. 2008 passed by S.D.J.M, Dalsingsarai in G.R. No. 121 of 2007 T.R. No.. 1012 of 2008.

The case of the complainant is that her daughter Chanda Kumari was married with one Ashok Choudhary but she was tortured for ends of dowry and finally ousted from the matrimonial home and her husband Ashok Choudhary performed another marriage with the petitioner.

It has been submitted on behalf of the petitioner, as it appears from the complaint petition, there is no specific instance of torture

and the main grouse appears against the husband who had reportedly remarried.

On several occasions notices had been issued to the O.P. No. 2 but he has chosen not to appear before this Court.

Having considered the relationship between the parties the application is allowed and the order dated 06.02.2009 passed by the Sessions Judge, Samastipur in Cr. Revision No. 260 of 2008 and the order dated 13.05. 2008 in Cr. Misc. 121 of 2007, Trial No. 1012 of 2002 passed by S.D.J.M, Dalsingsarai is hereby set aside so far as the petitioner is concerned.

**(Anjana Prakash, J)**

Prakash/-

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