

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24955 of 2011

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

- =====
1. Satish Chaudhary @ Kishu.
 2. Kaushalya Devi W/o late Ram Ratan Chaudhary.
 3. Sunil Kumar@Sunil Chaudhary S/o late ram rattan Choudhary.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rina Devi W/o Sri Satish Chaudhary @Kishu

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jagdish Pd, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, Adv.

For the State : Mr. Indiarwar Kumar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 25-08-2015

The petitioners who are in-laws seek quashing of the order of cognizance dated 15.01.2011 passed by the S.D.J.M Masaurhi, Patna.

The case of the complainant is that she was married to the Petitioner no. 1 on 24.10.2010 where after she went to the matrimonial home. However, everyone started demanding dowry and tortured her for non fulfillment of the same. A panchayati was held but the accused persons continued to torture her and on 24.10.2010 she was ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that they are old persons and it is not plausible that a person would be tortured for ends of dowry after three years of marriage. In fact the complainant

was not ready to live with them and on objection she threatened to commit suicide. In that regard they filed informatory petition bearing no. 383 of 2008 on 10.04.2008 and 1548 of 2008 on 26.11.2008. Despite the same the present complaint was filed with a view to harass the petitioners.

On the other hand counsel for the complainant submits that since the petitioners being parents did not facilitate matrimonial harmony they should be put on trial.

Having considered the relationship of the parties as also the nature of allegations, the application is allowed so far as the petitioners no. 2 and 3 are concerned and order of cognizance dated 15.01.2011 passed by the S.D.J.M Masaurhi, Patna is hereby set aside.

(Anjana Prakash, J)

Prakash/-

U		T	
---	--	---	--