

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8587 of 2010

Arising Out of PS.Case No. 517 Year- 2005 Thana -null District- SAHARSA

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Md. Touseef son of late Md. Rayees, resident of village Baluapar, P.S. Bakhtiarpur,
District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Samira Begum @ Samira Khatoon wife of Md. Touseef and daughter of Md. Jaseem, resident of vilale Baluapar, P.S. Bakhtarpur, District Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Obaidur Rahman, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 15-09-2015

The Petitioner seeks quashing of the order of cognizance dated 28.1.2006 passed by the Sub Divisional Judicial Magistrate, Saharsa in Complaint case No.517C of 2005 on the ground that now the dispute has been resolved between the spouses.

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

Considering the facts of the case that it is impossible to believe that a person would be tortured for ends of dowry even after such a long duration of marriage and birth of four children, the application is allowed and the proceeding including the order of cognizance dated 28.1.2006 passed by the Sub Divisional Judicial

Magistrate, Saharsa in Complaint case No.517C of 2005 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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