

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9845 of 2012

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

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1. Md. Moienudin S/O Late Abdul Raut Resident Of Village And P.S. And P.O.- Janpur, District- Patna
 2. Md. Mokim S/O Md. Moienudin Resident Of Village And P.S. And P.O.- Janpur, District- Patna
 3. Gudiya Khatoon W/O Md. Aftab Alam Resident Of Village And P.S. And P.O.- Janpur, District- Patna
 4. Md. Matin S/O Md. Moienuddin Resident Of Village And P.S. And P.O.- Janpur, District- Patna
 5. Kuraisa Khatoon W/O Md. Moienuddin Resident Of Village And P.S. And P.O.- Janpur, District- Patna

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Archana Mishra, Adv.

For the State : Mr. K.S. Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 04-05-2015

No one appears on behalf of the petitioners or the opposite parties.

The petitioners seek quashing of the order of cognizance dated 20.12.2008 passed by the Sub-Divisional Judicial Magistrate, Danapur in Complaint Case No. 605 C of 2008.

The case of the complainant is that the marriage of his daughter was performed with Petitioner no. 4 on 05.07.2008. On that occasion some gifts were given. The accused persons who were in-laws and co-villagers demanded more dowry and in absence of non-

fulfillment of the same, refused to take her daughter to the matrimonial home. Hence the present complaint on 10.07.2008.

It has been submitted on behalf of the petitioners that it appears absurd that within a short span time of five days, the grievance of the complainant reached to the extent of lodging this complaint case. If at all there was any matrimonial dispute, the same could have been resolved at the local level instead of bringing it to the Court. In any view of the matter, no case under Section 498A IPC is made out.

Having considered the aforesaid submissions, the application is allowed and the order of cognizance dated 20.12.2008 passed by the Sub-Divisional Judicial Magistrate, Danapur in Complaint Case No. 605 C of 2008, is hereby quashed.

(Anjana Prakash, J)

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