

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28337 of 2012

Arising Out of PS.Case No. -1137 Year- 2011 Thana -null District- PATNA

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1. Ripudaman Prasad Sinha @ Ripudaman Singh S/O Late Thakur Ram Parikshan Singh Resident Of Ca/42, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, Dist.- Patna
 2. Smt. Kusum Singh W/O Ripudaman Prasad Sinha Resident Of Ca/42, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, Dist.- Patna
 3. Nilabh Singh @ Neelabh Singh S/O Shri Ripudaman Prasad Sinha Resident Of Ca/42, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, Dist.- Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Pushpa Kumari @ Pushpa Singh W/o Neelabh Singh

.... 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: 01-12-2015

Learned counsel for the petitioners seeks permission to withdraw the application so far as the Petitioner no. 3 is concerned to avail other remedy in accordance with law. Prayer is allowed.

Rest of the petitioners who are parents-in-law seek quashing of the order dated 04.11.2011 passed by the Sub-Divisional Judicial Magistrate, Patna in Complaint Case No. 1137C of 2011.

The case of the complainant is that she was married to the Petitioner no. 3 on 17.05.2006 after which she went to the matrimonial home but she was tortured for ends of dowry and finally ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that fact is that there were some issues between the spouses which led to filing the Matrimonial Suit No. 658 of 2009 before the Principal Judge, Family Court, Patna on 26.10.2009 on which notices were issued to her. After receipt of notice the present complaint was filed with trumped of charges.

Having considered the vague nature of allegation the application is allowed so far as the Petitioners no. 1 and 2 are concerned and the order dated 04.11.2011 passed by the Sub-Divisional Judicial Magistrate, Patna in Complaint Case No. 1137C of 2011, is hereby set aside.

(Anjana Prakash, J)

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