

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37824 of 2014

Arising Out of Complaint Case No.1809C Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WEST CHAMPARAN (BETTIAH)

=====

1. Guli Ram Son of Late Shivraj Ram
2. Jhanjhari Devi Wife of Guli Ram
3. Rajendra Ram Son of Guli Ram
4. Chandrawati Devi Wife of Rajendra Ram
All the resident of village - Murali Pipara, Police Station - Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Seema Devi Wife of Harish Chandra Ram, Daughter of Nathuni Ram At present Resident of Village - Chanki Gadh, Post Office - Sadpur Chhota, Police Station - Shikarpur, District- West Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv.
For the State : Mr. Durgesh Nandan, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-09-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners who are the in-laws seek quashing of the order of cognizance dated 6.10.2012 passed by the Sub Divisional Judicial Magistrate, Bettiah, West Champaran, in Complaint Case No. 1809C of 2011.

The case of the Complainant is that she was married to Harish Chandra Ram on which occasion her parents paid huge amount of money. However, the in-laws started pressurizing for more money on account of which her father gave some more money as additional

dowry. However, despite this she was tortured and ousted from the matrimonial home and, hence, she filed the present Complaint.

It has been submitted on behalf of the Petitioner that it is impossible to believe that a person would be tortured for such a long period for dowry. In fact, there was some issue between the husband and wife on account of which the husband filed Divorce Case No. 258 of 2010 before the Principal Judge, Family Court, Bettiah at West Champaran, before the present Complaint was filed and it was in retaliation, the present Complaint has been filed so as to create a defence.

Notices had been issued to the Opposite Party No. 2 but despite service of notice she has chosen not to appear before this Court.

Having considered the aforesaid facts, the application is allowed and the Proceeding including the order of cognizance dated 6.10.2012 passed by the Sub Divisional Judicial Magistrate, Bettiah, West Champaran, in Complaint Case No. 1809C of 2011, so far as the Petitioners are concerned, is hereby set aside.

(Anjana Prakash, J)

S.Ali/-

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