

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46705 of 2014

Arising Out of PS.Case No. -416 Year- 2013 Thana -NAUBATPUR District- PATNA

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1. Lajmanti Devi W/o Sri Basudeo Prasad Singh
 2. Basudeo Prasad Singh S/o Late Kamla Singh
 3. Chandra Sekhar Kumar S/o Sri Basudeo Prasad

.... Petitioner/s

Versus

The State of Bihar

.... 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: 04-11-2015

The petitioners who are parents-in-law seek quashing of order of cognizance dated 01.07.2014 passed by the Judicial Magistrate, 1st Class, Danapur in Naubatpur P.S. Case No. 416 of 2013.

The case of the informant is that she fell in love with Brajesh Kumar and married him on 08.05.2010. Out of their wedlock a male child was born. However, the in-laws started demanding dowry and finally she was ousted from the matrimonial home.

The petitioners submit that if at all the marriage had taken place it was the matter between Brajesh Kumar and the informant. The informant did not stay with them even for a single day. In fact later Brajesh Kumar also sought dissolution of the marriage on the

ground that it was null and void having been performed by force since he was a minor.

On the other hand counsel for the informant submits that since the petitioners did not take adequate interest in affairs of the informant and her husband they should be put on trial.

Having considered the facts of the case, I would be inclined to hold that putting the present petitioners on trial would be against the interest of justice. Hence the application is allowed and further proceedings including the order of cognizance dated 01.07.2014 passed by the Judicial Magistrate, 1st Class, Danapur in Naubatpur P.S. Case No. 416 of 2013, is hereby set aside so far as the petitioners are concerned.

(Anjana Prakash, J)

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