

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13760 of 2012

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

- =====
1. Sadikgram Chaudhary @ Saligram Chaudhary, son of Harihar Chaudhary,
 2. Santosh Chaudhary, son of Saligram Cahudhary, both resident of village-
Majhauri, P.S.-Sanjhauli, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Mohan Mahto @ Mohan Ram, son of late Jai Govind Mahto, r/o village-
Ikbalganj (Nisarpura), P.O.-Nisarpura, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-02-2015

No one appears either on behalf of the Petitioner or the
Opposite Party No.2.

The Petitioners seek quashing of order of cognizance
dated 16.03.2011 passed by the Judicial Magistrate, 1st class,
Danapur, Patna, in Complaint Case No.861-C of 2010.

The case of the Complainant is that he had fixed the
marriage of his grand daughter with son of the Petitioner No.1. As
per agreement, he paid him a sum of ₹76,000/- on 15.02.2010 but
later on refused to marry.

It has been pleaded on behalf of the Petitioners that all
allegations are oral in nature and without any substantial
corroboration and the trial will be a nullity and abuse of process of

Court.

I am inclined to agree with the pleadings of the
Petitioners.

Hence, the order of cognizance dated 16.03.2011 passed
by the Judicial Magistrate, 1st class, Danapur, Patna, in Complaint
Case No.861-C of 2010, is hereby set aside.

The application stands allowed.

(Anjana Prakash, J)

JA/-

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