

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32040 of 2012

Arising Out of PS.Case No. -577 Year- 2011 Thana -null District- KATIHAR

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Amar Kumar Deo & Anr.

.... Petitioner/s

Versus

State of Bihar & Anr

.... 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: 24-04-2015

The O.P. No. 2 has been consistently absent and hence this Court is proceeding to hear the matter.

Learned counsel for the petitioner seeks permission to withdraw the application so far as the Petitioner no. 1 is concerned. The same is allowed. The Court below is directed to proceed with the matter and conclude the proceeding expeditiously without granting any unnecessary adjournment to any party.

The Petitioner no. 2 who happens to be the sister-in-law of the complainant seeks quashing of the order dated 26.06.2012 passed by the Sub-Divisional Judicial Magistrate, Katihar in Complaint Case No. 577 of 2011.

The case of the complainant is that she was married to Petitioner no. 1 on 27.06.2010 on which occasion large number of

gifts were given to the in-laws. However, when she came to her matrimonial home she was tortured. Her husband used to humiliate her in various manners. Her husband also started demanding dowry and she was kept hungry by the in-laws who also assaulted her. On 02.07.2010 she was driven out of house.

It has been submitted on behalf of the petitioner that the whole incident occurred within five days i.e. 28.06.2010 to 02.07.2010 but the complaint petition was filed after eight months i.e. on 18.03.2011. The allegations appear absurd and imaginary.

On going through the facts of the case, I would be inclined to accept the submissions. Hence the application is allowed and the order dated 26.06.2012 passed by the S.D.J.M, Katihar in Complaint Case No. 577 of 2011, is hereby quashed.

(Anjana Prakash, J)

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