

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47711 of 2008

Arising Out of PS.Case No.1547 Year- 2004 District- SAMASTIPUR

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Urmila Arora @ Urmila, wife of late Surjeet Lal Arora, resident of Christian Colony, Bettiah, P.S. Bettiah, Distt. Bettiah

.... Petitioner/s

Versus

1. The State of Bihar
2. Babli Kaur @ Babli, wife of Ajay Arora, daughter of late Sardar, at present residing with Nirmala Devi, Railway Colony, Road No. 14, Quarters No. 2231/A, Police Station Samastipur, Distt. Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Adv.
Mr. Chandramani Kumar, Adv.
For the State : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 30-06-2015

No one appears on behalf of the Opposite Party No. 2 on repeated calls.

The Petitioners seek quashing of the order of cognizance dated 27.5.2005 passed by the Sub Divisional Judicial Magistrate, Samastipur, in C.R. No. 1547 of 2004.

The case of the Complainant is that she was married on 21.1.1998 with Ajay Arora on which occasion a large number of gifts were given to the in-laws. However, after birth of two children, she was tortured for ends of dowry and finally ousted from her matrimonial home. Her husband used to indulge in all kinds of anti social activities.

It has been submitted on behalf of the Petitioner that she is the mother-in-law of the Complainant and it does not appear probable that anybody would be tortured for ends of dowry for such a long period.

Having taken note of the vague nature of allegations and the duration of the marriage, the application is allowed and the Proceeding including the order of cognizance dated 27.5.2005 passed by the Sub Divisional Judicial Magistrate, Samastipur, in C.R. No. 1547 of 2004 so far as the Petitioner is concerned, is hereby set aside.

(Anjana Prakash, J)

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