

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27916 of 2014

Arising Out of PS.Case No. -3629 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Devendra Prasad Singh Son of Late Satya Narayan Singh
 2. Veena Singh Wife of Devendra Prasad Singh
 3. Barun Kumar Singh Son of Devendra Prasad Singh
 4. Rajani Singh D/O Devendra Prasad Singh All are resident of village-Shijhatt, P.S.-Dhoraiy, District-Banka, at present residing in the house of Surendra Prasad Gupta, Mohalla-Jogsar (Near Adampur P.S.), P.S.-Adampur, District-Bhagalpur,
 5. Saket Kumar Singh Son of Devendra Prasad Singh Residing in the house of Surendra Prasad Gupta, Mohalla-Jogsar (Near Adampur P.S.), P.S.-Adampur, District-Bhagalpur, at present working as company secretary and compliance officer at Religare Global Asset Management Company Pvt. Ltd, D3 P3, B.B. Wing, 1st Floor, Mohalla-Saket, P.S.-Saket, District-Centre Saket, New Delhi-110017

.... Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Singh Wife of Saket Kumar Singh, D/ o Vijay Singh, Resident of Mohalla-West Lohanipur, Parmeshwar Singh Lane, P.S.-Kadamkuan, District-Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ahmad Ali (App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6 18-03-2016 Learned counsel for the petitioners seeks permission to
withdraw the application so far as Petitioner no. 5 is concerned.

The application is dismissed as withdrawn.

The rest of the petitioners who are in-laws seek quashing of
the order of cognizance dated 24.03.2014 passed by the Judicial
Magistrate 1st Class, Patna in Complaint Case No. 3629C of 2013.

The case of the complainant is that she was married to the

Petitioner no. 5 on 25.02.2012 on which occasion huge dowry was given to the in-laws. However, after marriage she went to Bhagalpur then went to Delhi along with mother-in-law and sister-in-law. Soon thereafter they started torturing her and brought her back to Bhagalpur. Despite payment of some more money she was once again tortured and ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that in fact the Petitioner no. 1 had filed informatory petition on 09.02.2012 against Opposite Party no. 2 and her family members for threatening them. The husband also filed a matrimonial suit under Section 9 of the Hindu Marriage Act before the Principal Judge, Family Court, Bhagalpur and after having come to know about the same, she filed the present complaint on 22.10.2013 so as to create a defence.

Be that as it may, having considered the facts of the case as also vague nature of allegations against the petitioners, the application is allowed and the order of cognizance dated 24.03.2014 passed by the Judicial Magistrate 1st Class, Patna in Complaint Case No. 3629C of 2013 is hereby set aside so far as petitioners 1-4 are concerned.

(Anjana Prakash, J)

Prakash/-

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