

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 31734 of 2010

Arising out of P.S. Case No. -600 Year- 2009 Thana –
Complaint Case District- GAYA

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1. Md. Parvej Khan, S/o Son of Fahim Khan.
2. Md. Tabrej Khan, Son of Fahim Khan.
3. Md. Taslim Khan, Son of Fahim Khan.
4. Fahim Khan, Son of late Umar Bhask Khan.
5. Farhat Khanam , Wife of Fahim Khan. All resident of Village-
Hamjapur, P.S.-Amas, District-Gaya..... Petitioner/s

Versus

1. The State of Bihar.
2. Habihun Khanam, D/o Shahjaha Khan, Resident of Village-
Samsabad, P.S.-Imamganj, District-Gaya. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-02-2016

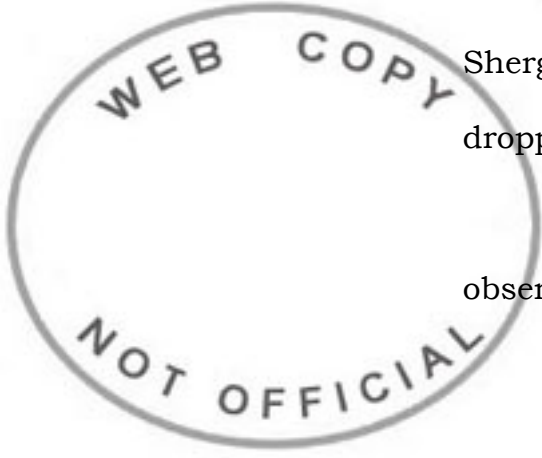
The Petitioners seek quashing of the order of cognizance dated 30.06.2010 passed by the Sub-divisional Judicial Magistrate, Sherghati, Gaya in Complaint Case No. 600 of 2009 (Tr. No. 2696 of 2010) on the ground that it is a counter-blast of a Complaint Case No. 38 of 2007 filed by the husband.

Be that as it may, in the interest of the parties, the entire proceeding as against all the accused persons including the order of cognizance dated 30.06.2010 passed by the Sub-divisional Judicial Magistrate, Sherghati, Gaya in Complaint Case No. 600 of 2009 (Tr. No. 2696 of 2010) is, hereby, set aside.

Also, in the interest of the parties, the further

proceeding including the order of cognizance dated 16.04.2010 passed by the Sub-divisional Judicial Magistrate, Sherghati, Gaya in Complaint Case No. 38 of 2007 shall stand dropped.

The Application stands allowed with the aforesaid observations.



Vikash/-

(Anjana Prakash, J.)

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