

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 24382 of 2013

Arising Out of PS.Case No. -231 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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Diwakar Sharma @ Ram Laddu Sharma S/O Late Suyadeo Singh R/O
Village- Bahpura, P.S-Bihta, District- Patna, At Present R/O Priyanka
Jwellors, Jakkanpur, P.S- Jakkanpur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar
2. Umrawati Devi W/O Diwakar Sharma @ Ram Laddu Sharma R/O
Village- Bahpura, P.S- Bihta, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. D.P.Tiwari (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 29-03-2016 Heard Sri Pramod Kumar Singh, learned counsel for
the petitioner and Sri Damodar Prasad Tiwari, learned Addl.
Public Prosecutor.

The petitioner, who is husband of
complainant/opposite party no. 2, has approached this Court
invoking its inherent jurisdiction under Section 482 of the Code of
Criminal Procedure, with a prayer to quash an order dated
26-05-2011 passed by the learned Judicial Magistrate 1st Class,
Danapur in Complaint Case No. 231(C) of 2011. By the said
order, the learned Magistrate, after taking cognizance under
Section 498(A) of the Indian Penal Code, has directed for issuance

of processes.

It was submitted by learned counsel for the petitioner that subsequently compromise has taken place in between the parties, however; no final order could be passed. He further submits that the complainant, after the order of cognizance, is not taking any interest before the court below.

Prima facie, after going through the order impugned, I do not find any apparent defect warranting interference. Accordingly, I do not find any ground to quash the impugned order.

The petition stands dismissed.

While dismissing this petition, it is made clear that if before the court below, the complainant fails to do appropriate *pairvi*, the learned court below may pass appropriate order in accordance with law.

(Rakesh Kumar, J.)

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