

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36560 of 2014

Arising Out of PS.Case No. -68 Year- 2013 Thana -MAHILA PS District- DARBHANGA

- =====
1. Dhirendra Narain Kumar, son of late Upendra Narain Kumar
 2. Bimal Kumar @ Bimla Devi, wife of Dhirendra Narain Kumar
 3. Pankaj Kumar, son of Dhirendra Narain Kumar
- All are resident of Mohalla- Balbhadrapur, Near Congress Office, PS.- Laheriasarai, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Reeta Kumar wife of Pankaj Kumar resident of Mohalla- Balbhadrapur, Near Congress Office, PS.- Laheriasarai, District- Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha, Adv.
For the State : Mr. M.K. Nirala, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-04-2016

Heard learned counsel for the Petitioners and the State.

In the nature of dispute between the Parties, an attempt was made to settle the same, but, it could not be done.

Be that as it may, the application so far as the Petitioner No. 3 is concerned, is hereby dismissed as withdrawn.

The Petitioners No. 1 and 2 who are the parents-in-law seek quashing of the order of cognizance dated 19.4.2014 passed by the Sub Divisional Judicial Magistrate, Darbhanga, in Mahila P.S. Case No. 68 of 2013.

The case of the Complainant is that she was married to

the Petitioner No. 3 in the year 1995 but she was tortured for ends of dowry and ousted from the matrimonial home on account of which she compelled to file this case.

It has been submitted on behalf of the Petitioners that it is impossible to believe that a person who was married in the year 1994 would be tortured for ends of dowry. Evidently, dispute was only between husband and wife on account of some issues in which the Petitioners had no role to play.

Having considered the aforesaid, the application is allowed and the Proceeding including the order of cognizance dated 19.4.2014 passed by the Sub Divisional Judicial Magistrate, Darbhanga, in Mahila P.S. Case No. 68 of 2013, so far as the Petitioners No. 1 and 2 are concerned, is hereby set aside.

The Court below shall ensure compliance of its order in respect to maintenance.

S.Ali/-

(Anjana Prakash, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	