

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43469 of 2014

Arising Out of PS.Case No. -673 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Shivendra Kumar @ Shivendra Kumar Singh

..... Petitioner/s

Versus

State of Bihar & Anr

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 15-07-2016

The petitioner seeks quashing of the order dated 2.6.2014 passed in Complaint Case No. 673 of 2014, Tr. No. 6422 of 2014 by the Sub-Divisional Judicial Magistrate, Motihari.

In the nature of dispute several attempts were made to settle the dispute but it could not be done.

The case of the complainant is that she was married to the petitioner on 26.04.2007 where after she went to the matrimonial home. However, she was pressurized for payment for purchasing a flat in Delhi and when she refused she was assaulted and mistreated. She was also assaulted on various occasions and at the end ousted from the matrimonial home.

It has been submitted on behalf of the petitioners that if at all there was a demand it was not in consideration of marriage so no

offence under Section 498A is made out.

On the other hand the complainant submits that since the petitioner is the husband and the main allegation is against him he should be put on trial.

Be that as it may, considering that there is definite allegation against the petitioner of assault and torture, I do not see any reason for interference. Hence the application is rejected.

(Anjana Prakash, J)

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