

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6496 of 2014

Arising Out of Complaint Case No. -1197 Year- 2008 District- MADHUBANI

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1. Misri Lal Prasad @ Misri Lal Sah
2. Anpurna Devi, wife of Misrilal Sah
3. Navita Devi, wife of Ravishankar Prasad
4. Kunal Kishor, son of Misrilal Sah

All resident of Mohalla Juraban Singh, Town Darbhanga, P.S. and Distt. Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Mala Devi, daughter of Gaurishankar Prasad, resident of Mohalla Bara Bajar, Ward No. 5, P.S. & Distt. Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Soban Asghar, Adv.

For the State : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 19-01-2016

Heard learned counsel for the Petitioners and the State.

In the facts of the case, I am not inclined to entertain the petition of the Petitioner No. 4 and, hence, the same is dismissed.

As for rest of the Petitioners who are the parents-in-law and sister-in-law of the Opposite Party No. 2, they seek quashing of the order of cognizance dated 21.10.2008 passed by the Sub Divisional Judicial Magistrate, Madhubani, in Complaint Case No. 1197 of 2008, T.R. No. 1008 of 2013, M2322 of 2008.

The case of the Complainant is that she was married to the Petitioner No. 4 according to the Hindu rites on 29.6.2007 but she

was tortured for ends of dowry and finally ousted from her matrimonial home.

It has been submitted that in fact, the issue was between the husband and wife and the matter had been compromised between the Parties but for some times, the Parties have gone back. However, the Petitioners No. 1, 2 and 3 are not concerned with the affairs of the Opposite Party No. 2.

Considering the aforesaid, the application is allowed and the Proceeding including the order of cognizance dated 21.10.2008 passed by the Sub Divisional Judicial Magistrate, Madhubani, in Complaint Case No. 1197 of 2008, T.R. No. 1008 of 2013, M2322 of 2008, so far as the Petitioners No. 1, 2 and 3 are concerned, is hereby, set aside.

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(Anjana Prakash, J)

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