

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48198 of 2014

Arising Out of PS.Case No. -64 Year- 2011 Thana -SIKARHATA District- BHOJPUR

1. Umeshwar Prasad Singh S/o Late Jai Narayan Singh @ Bechu Singh (Father-in-law)
2. Pravawati Devi W/o Sri Umeshwar Pd. Singh (Mother-in-law) All R/o village-Chanda, P.S.- Sikrahata, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranjana Kumari W/o Amit Kumar, D/o Bindeshwari Singh r/o vill.- Mimpura, P.S.- Ajiyabad, Distt.- Bhojpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. S.D. Singh Yadav, APP
For Opposite Party No.2 : Mr. Amarnath Jha, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 08-02-2016

The Petitioners, who are the in-laws of the Opposite Party No.2, seek quashing of the order of non-discharge dated 19.9.2014 passed by the S.D.J.M., Arrah in Trial No.3966 of 2013 arising out of Sikrahata P.S. case No.64 of 2011 bearing G.R. No.2991 of 2011.

The case of the Informant is that she was married to her husband on 27.2.2009 whereafter she came to her matrimonial home. However, everyone started demanding dowry and later on she was ousted from the matrimonial home, on account of which she instituted the present case.

It has been submitted that fact of the matter is that there was some incompatibility issue between the spouses which led to the husband filing Divorce Case No.220 of 2011. One month later, the present First Information Report was filed implicating the entire family.

On the other hand, the Counsel for the Complainant submits that since the wife wants to reside with her husband in which the Petitioners are not facilitating, they should also be put on trial.

Having considered the facts of the case, I would be of the view that the prosecution of the Petitioners is unwarranted and deserves to be set aside. Hence the application is allowed and the proceeding including the order of non-discharge dated 19.9.2014 passed by the S.D.J.M., Arrah in Trial No.3966 of 2013 arising out of Sikrahata P.S. case No.64 of 2011 bearing G.R. No.2991 of 2011 is hereby set aside so far the Petitioners are concerned.

(Anjana Prakash, J)

Narendra/-

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