

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25252 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- EASTCHAMPARAN(MOTIHARI)

1. Bhagwat Thakur S/O Late Amar Thakur Resident Of Village-Mahanwa, P.S. Majhawalia, District-West Champaran
2. Bibha Thakur @ Bibha Devi W/O Bhagwat Thakur Resident Of Village-Mahanwa, P.S. Majhawalia, District-West Champaran
3. Sanjeev Thakur S/O Bhagwat Thakur Resident Of Village-Mahanwa, P.S. Majhawalia, District-West Champaran
4. Bacha Thakur S/O Late Amar Thakur Resident Of Village-Mahanwa, P.S. Majhawalia, District-West Champaran

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-02-2016

The petitioners who are in-laws seek quashing of the order of cognizance dated 04.03.2011 passed by the Judicial Magistrate, Sadar Motihari in Case No. 4530 of 2011.

The case of the complainant is that she was married to Ranjeet Thakur on 22.06.2007 at which stage large amount of money and gifts were given to the in-laws at Chandigarh where after she came to her matrimonial home. However, the accused persons started torturing her for ends of dowry and she remained unloved and was tortured in various ways including taunts in regard to kind of dowry she has brought. They used to often assault her and threatened her of dire consequence and on 06.12.2007 the

accused persons in conspiracy with each other ousted her from the matrimonial home and retained her Jewelry. When she wanted to inform the local persons but no action was taken so she filed a case at the local Police Station which on investigation found all the allegations against the petitioners false and hence filed final report. However, the case proceeded on protest-cum-complaint petition.

It has been submitted on behalf of the petitioners that from the narrative of the complaint petition it appears that the place of occurrence is located in Panchkula and no part of the act ever took place within the district of Motihari. Further all the allegations are so general and omnibus and that they do not inspire confidence.

On the other hand, counsel for the complainant submits that since the petitioners acted in a high handed manner, they should be put on trial.

Having considered the vague nature of allegations and the fact that the occurrence took place mostly in Punjab, the application is allowed and further proceedings including the order of cognizance dated 04.03.2011 passed by the Judicial Magistrate, Sadar Motihari in Case No. 4530 of 2011 in connection with Complaint Case No. 374C of 2011 is hereby quashed.

(Anjana Prakash, J)

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