

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.563 of 2016

Arising Out of PS.Case No. -278 Year- 2014 Thana -AKBARPUR District- NAWADA

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1. Ajay Kumar Chaudhary @ Ajay Chaudhary Son of Naresh Chaudhary,
 2. Naresh Chaudhary, Son of Muni Chaudhary (Father - in - law)
 3. Shaila Devi, Wife of Naresh Chaudhary (Mother - in- law)
 4. Birendra Chaudhary @ Bijendra Kumar, Son of Naresh Chaudhary (Dewar)
 5. Ilendra Chaudhary @ Dhirendra Kumar, Son of Naresh Chaudhary (Dewar)
 6. Sunil Chaudhary, Son of Muni Chaudhary (Cosine Father - in - law)

All residents of village - Mafi Gali (Warisaliganj), P.S. - Warisaliganj, District - Nawada.

.... Petitioners

Versus

1. The State of Bihar.
2. Sushma @ Soni, Wife of Ajay Kumar Chaudhary @ Ajay Chaudhary, Resident of Village - Mafi Gali (Warsaliganj), P.S. - Warsaliganj, District - Nawada. At present daughter of Visheshwar Chaudhary, village - Pachrukhi, P.S. Akbarpur, District - Nawada.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-05-2016

By way of the present application preferred under Section 482 of the Code of Criminal Procedure, 1973 (for short “CrPC”), the petitioners have prayed for quashing the first information report of Akbarpur P. S. Case No. 278 of 2014 registered under Sections 498-A, 323 and 406 of the Indian Penal

Code as also Section 4 of the Dowry Prohibition Act.

It has been submitted on behalf of learned counsel for the petitioners that during pendency of the present application, on completion of investigation, the police have already submitted their report under Section 173(2) of the CrPC before the court below and the jurisdictional Magistrate has taken cognizance of the offences.

In that view of the matter, the application is disposed of with a liberty to the petitioners to challenge the order taking cognizance by filing an appropriate application under Section 482 of the CrPC.

(Ashwani Kumar Singh, J.)

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