

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 46097 of 2014

Arising out of P.S. Case No. -4 Year- 2013 Thana -KAJRA
District- LAKHISARAI

- =====
1. Most. Kranti Devi @ Kanti Devi Wife of Late Panchanand Singh
 2. Mamta @ Archana Kumari daughter of Late Panchanand Singh
 3. Divakar @ Divakar Kumar @ Chhote Kumar Son of Late Panchanand Singh All resident of village- Sarwa, Police Station- Barbigha (Hatiya More), Police Station- Barbigha, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Seema devi D/o Paras Nath Singh resident of village- Narotampur, P.S.- Kajra, District- Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-06-2016

The Petitioners who are the in-laws of the Opposite Party No. 2 seek quashing of the order of cognizance dated 14.08.2014 passed by the Sub-divisional Judicial Magistrate, Lakhisarai in Kajra P.S. Case No. 4 of 2013 (G.R. No. 101 of 2013).

The case of the Informant is that she was married to Deepak Kumar on 25.04.2008 whereafter she went to her matrimonial home. However, she was tortured and everyone started mistreating her and then she was ousted from the matrimonial home.

It has been submitted on behalf of the Petitioners

that the grouse of the Informant was against her husband because he had threatened a remarriage on account of her looks.

On the other hand, Counsel for the Informant submits that since the Petitioners are the in-laws they were duty bound to ensure that the harmonious relation be restored between the husband and wife and when they failed to do so they should also be put on trial.

Having considered the relation-ship of the present Petitioners with the Complainant and the fact that reason for incompatibility between the spouses appears to be something else, the application is allowed and the proceeding including the order of cognizance dated 14.08.2014 passed by the Sub-divisional Judicial Magistrate, Lakhisarai in Kajra P.S. Case No. 4 of 2013 (G.R. No. 101 of 2013) is, hereby, set aside so far as the Petitioners are concerned.

(Anjana Prakash, J.)

Vikash/-

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