

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28796 of 2014

Arising Out of PS.Case No. -3231 Year- 2011 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Dr. Shiv Shankar Prasad son of Sri Durga Prasad
 2. Durga Prasad son of Late Gopal Sah
 3. Laxmi Devi wife of Sri Durga Prasad, All resident of Mohalla Khajanchi Hat, P.S. - K. Hat (Sahayak), District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Surendra Saha @ Sunanda Prasad wife of Dr. Shiv Shankar Prasad, resident of Mohalla Khajanchi Hat, P.S. - K. Hat (Sahayak), District - Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-05-2016

Learned Counsel for the Petitioners seeks permission to withdrawn the application so far as the Petitioner No.1 is concerned to avail his other remedies in accordance with law.

Prayer is allowed.

The rest of the Petitioners, who are the parents-in-law of the Complainant, seek quashing of the order of cognizance dated 1.11.2012 passed by the S.D.J.M. Purnea in C.A. No.3231 of 2011.

The case of the Complainant is that she was married to the Petitioner No.1 on 28.7.1996 even while both the spouses were pursuing their M.B.B.S. degree. However, there were some financial

issues between the husband and wife, on account of which she fell cheated and filed the present Complaint.

It has been submitted on behalf of the Petitioners that evidently in the facts of the case no criminal offence is made out and if at all the Complainant has any grouse it is against the husband over financial matters.

Be that as it may, the application is allowed and the proceedings including the order of cognizance dated 1.11.2012 passed by the S.D.J.M. Purnea in C.A. No.3231 of 2011 is hereby set aside so far as the Petitioners No.2 and 3 are concerned.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	16.05.2016
Transmission Date	16.05.2016