

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27610 of 2010

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

1. Rup Kala Devi wife of late Rajeshwar Singh
2. Rachana Priya daughter of late Rajeshware Singh
3. Mukleshwar Singh son of late Jagarnath Singh, all 1 to 3 resident of village Dayanagar, P.S. Belsand, District Sitamarhi
4. Bandna Devi wife of Sri Abinash Singh, resident of village Marsand, P.S. Runi Saidpur, District Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Mala Devi wife of Jivesh Kumar Singh @ Bikau Singh at present daughter of Madan Deo Singh, resident of village Ghanshyam Pakari, P.S. Pipra, District East Champaran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tejendra Sinha, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-01-2016

The Petitioners seek quashing of the order of cognizance dated 29.6.2010 passed by the S.D.J.M., Sadar, Motihari in Complaint case No.C-829 of 2009 (Trial No.3958 of 2010).

The case of the Complainant is that she was married to the Accused No.1 in the year 1998, after which she went to her matrimonial home but she was tortured for ends of dowry and on 15.4.2009 she was ousted from the matrimonial home.

It has been submitted that the Petitioner No.1 is the mother-in-law, whereas the Petitioner No.2 is the unmarried sister-in-law and Petitioner No.3 is agnate and Petitioner No.4 is the married

sister-in-law, who is residing in Mumbai since the last seven years. It appears that the husband and wife were having some kind of matrimonial dispute and it is only to pressurize the husband into settling the same that the present Complaint has been filed, in which the Petitioners have also been included in the column of accused so as to bear pressure on him.

Having considered the aforesaid and the vague nature of allegations as against the Petitioners, the application is allowed and the proceeding including the order of cognizance dated 29.6.2010 passed by the S.D.J.M., Sadar, Motihari in Complaint case No.C-829 of 2009 (Trial No.3958 of 2010) is hereby set aside so far as the Petitioners are concerned.

(Anjana Prakash, J)

Narendra/-

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