

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 24978 of 2015

Arising Out of PS.Case No. -1813 Year- 2013 Thana -NALANDA COMPLAINT CASE District- NALANDA (BIHARSHARIFF)

Arti Kanchan, daughter of Surendra Kumar Singh, Resident of Village - Malikpur, P.O. - Nemdarganj, P.S. Akbarpur, District - Nawadah, at present residing at Mohalla - Bari Pahari, P.O. Sohsnai, P.S. Laheri, District - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL JUDGMENT

Date: 03-05-2016

Heard.

This is a petition for quashing the order dated 06.08.2014 passed by learned Chief Judicial Magistrate, Nalanda in Complaint Case No. 1813(c) of 2013 by which he has dismissed the complaint filed by the petitioner against the accused under Section 203 of the Cr.P.C.

From perusal of the order impugned itself, it is apparent that the allegation made is absurd and the learned trial Court dismissed the complaint on the ground that the complainant was residing with her Mausi after the death of her mother since 1993, but she went to her father in 2012 where her father has married with another lady after death of his first wife and living with his children and second wife. There is further allegation that she was not being

adjusted and then she went to the house of the Maushi. It is further alleged that the accused persons went to the house of the Mausi to drag the complainant.

However, it is quit absurd that when the daughter lived with her Mausi since 1993 to 2012, i.e., for about 19 to 20 years and was not adjusted with her father living with step-mother and their children then why the father with step-mother and children will go to the Mausi to drag the victim. However, the allegation appears to be absurd and the court below has rightly rejected the complaint with valid reasons after due application of mind on consideration of the witnesses in inquiry under Section 202 of the Cr.P.C.

Hence, I do not find any merit to interfere with the order impugned and the petition is dismissed.

(Gopal Prasad, J)

Kundan/-

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