

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.808 of 2014

Arising Out of PS.Case No. -3445 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Sanjay Kumar Son Of Late Raghubir Prasad R/O Mohalla-D/3 Rose Apartment Sector-14, Rohini, P.S. Prasant Vihar, New Delhi -1185
 2. Nirmala Prasad @ Gita Devi Wife Of Suraj Kumar Gupat R/O Mohalla-C-2, Vashant Kunj, P.S. Vashanj Kunj South, New Delhi

.... Petitioner/s

Versus

1. The State Of Bihar
2. Anupam Sawan Wife Of Rakesh Kumar , D./O Hem Kumar Gupta R/O Mohalla-Salempur Ahara, P.S. Gandhi Maidan, Distt-Patna, Permanent Address Makan No 17, Lakhan Chowk, Bhatta Bazar, P.S. Purnea (Town), Distt-Purnea

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-04-2016

The petitioners who are the in-laws of the Opposite Party no. 2 seek quashing of the order of cognizance dated 3.4.2013 passed by the Judicial Magistrate 1st Class, Patna in Complaint Case No. 3445C of 2012.

The case of the complainant is that she was married to Rakesh Kumar at Delhi on 16.4. 2012 where after she went to matrimonial home but she was confined in a room and mentally and physically tortured for ends of dowry by the accused persons on account of which she had to leave the matrimonial home. The fact is that the husband was suffering from some mental disease.

It has been submitted on behalf of the petitioners that evidently grouse of the complainant is elsewhere and story of mental and physical torture for ends of dowry is not tenable.

On the last occasion notices had been issued to the Opposite Party no. 2 but none appears on her behalf.

Be that as it may, the application is allowed and the proceedings including the order of cognizance dated 3.4.2013 passed by the Judicial Magistrate 1st Class, Patna in Complaint Case No. 3445C of 2012 is hereby set aside so far as the petitioners are concerned.

(Anjana Prakash, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	