

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15792 of 2014

Arising Out of PS.Case No. -108 Year- 2011 Thana -KURTHA District- JEHANABAD

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1. Athar Imam @ Md. Athar Imam Son Of Late Md. Gulam Rabbani
2. Hoor Jahan Wife Of Athar Imam
3. Nusrat Khatoon @ Nujrat Daughter Of Athar Imam
4. Mansoor Alam @ Mansoor Son Of Athar Imam All Resident Of Village -
Dhamaul, P.S.- Kurtha, District - Arwal

.... Petitioner/s

Versus

1. The State Of Bihar
2. Nahid Parveen Wife Of Md. Jamshed Alam Resident Of Village - Dhamoul,
P.S.- Kurtha, District - Arwal, At Present Resident Of Village - Pakahi, P.S.-
Makhdumpur (Tehta) District - Jehanabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.
For the State : Mr. R.B. Roy Raman, APP
For the Opposite Party/s : Mr. K.P. Singh, Sr. Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-02-2016

The petitioners who are the parents-in-law, the married sister-in-law and the brother of the husband of the Opposite Party no. 2 seeks quashing of the order of cognizance dated 04.01.2013 passed in Kurtha P.S. Case No. 108 of 2011 by the Chief Judicial Magistrate, Jehanabad.

The case of the complainant is that she was married to Md. Jamshed Alam on 20.01.2010. On which occasion large number of gifts were given to the in-laws but when she went to the matrimonial home she was tortured for ends of dowry and finally ousted from the

matrimonial home even though in the meanwhile, the informant's family had given money to the in-laws.

It has been submitted on behalf of the petitioners that fact of the matter is that the Opposite Party no. 2 and her husband had got married on their own sweet will as is evident from Annexure 2 series in which the petitioners had no role to play. Now that the relationship between them has soured the present case has been instituted to pressurize him.

On the other hand counsel for the informant submits that since the petitioners did not accept the informant, they should be put on trial.

Having considered the nature of marriage, the application is allowed and the order of cognizance dated 04.01.2013 passed in Kurtha P.S. Case No. 108 of 2011 by the Chief Judicial Magistrate, Jehanabad, is hereby quashed so far as petitioners are concerned.

(Anjana Prakash, J)

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