

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46646 of 2014

Arising Out of PS.Case No. -1288 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

Rajeshwar Singh S/o Jagdishwar Singh Resident of village- Bhemad (Musepur),
P.S. AND District- Jehanabad. Presently Residing at Village- Jaitia, P.S.- Cherki,
District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Nirmala Devi W/o Sudhir Singh Resident aof village- Musepur, P.S. AND
District- Jehanabad Presently Resident of village- Jatiya, P.S.- Charki, District-
Gaya

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 07-04-2016

The petitioner who is the father- in- law of the Opposite
Party no. 2 seeks quashing of the order dated 08.09.2014 passed by
the Sub-Divisional Judicial Magistrate, Gaya in Complaint Case No.
1288 of 2013.

The case of the complainant is that she was married with
Sudhir Singh in the year 1988 but she was always tortured and
therefore, she instituted the present case. Her husband had also illicit
relationship with his sister-in-law.

It has been submitted on behalf of the petitioner that
evidently the grouse of the complainant appears against her husband

and there were differences between the husband and wife on account of the suspicion of illicit relationship.

On the other hand complainant submits that since the petitioner is father-in-law, he should have taken care that the matrimonial relationship is maintained and he having not do so, he should be put on trial.

Having considered the nature of allegation in the complaint petition, the application is allowed and the order dated 08.09.2014 passed by the Sub-Divisional Judicial Magistrate, Gaya in Complaint Case No. 1288 of 2013 is hereby set aside so far as the petitioners are concerned.

(Anjana Prakash, J)

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