

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 25668 of 2010

Arising out of P.S. Case No. -3026(C) Year- 2009 Thana –
Complaint Case District- PATNA

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1. Syed Allaul Haque, Son of Late Sayed Azimul Haque.
 2. Rashda Khatoon, W/o Syed Allaul Haque. Both R/o 5-1 Shanti Hari Awasan Talwar Building, P.S.-Bistupur, Dist.-Jamshedpur, Jharkhand.
- Petitioner/s
- Versus
1. The State of Bihar.
 2. Sajima Nasri, D/o Late Kaji Abujar Md. Nasir, R/o Alinagar Colony, P.S.-Gardanibagh, Dist.-Patna.
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Surendra Kr. Singh, Adv

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 09-02-2016

The Petitioners who are the in-laws seek quashing of the order of cognizance dated 07.12.2009 passed by the Judicial Magistrate, 1st Class, Patna in Complaint Case No. 3026(C) of 2009.

The case of the Complainant is that she was married to Syed Rizwanul Haque on 14.11.2006 on which occasion large number of gifts were given to the in-laws but they started torturing her for additional dowry and on 27.02.2009 she was ousted from the matrimonial home.

It has been submitted on behalf of the Petitioners that it is impossible to believe that a person who was married in the year 2006 would be tortured for ends of dowry for three

years. Fact is that there was some dispute between husband and wife which led to souring of relationship and institution of present Complaint in which parents-in-law have been roped only to create pressure upon the husband.

On the other hand, Counsel for the Complainant submits that the Petitioners were the in-laws they should ensure that the couples remain in harmony and having failed they should be put on trial.

Having considered the vague nature of allegations and the duration of marriage, the proceeding including the order of cognizance dated 07.12.2009 passed by the Judicial Magistrate, 1st Class, Patna in Complant Case No. 3026(C) of 2009 is, hereby, set aside so far as the Petitioners are concerned.

The Application stands allowed.

(Anjana Prakash, J.)

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