

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41847 of 2014

Arising Out of PS.Case No. -673 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

1. Jitendra Kumar Singh Son of Late Chandan Singh
2. Prema Singh @ Prema Devi Wife of Jitendra Kumar Singh Both Resident of
Village- Pankha Toli, Police Station- Kazi Mohhamadpur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh Adv.
For the State : Mr. R.B. Roy Raman, APP
For the Opposite Party/s : Mr. Sandeep Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 15-07-2016

The petitioners who are the parents-in-law seek quashing
of the order dated 2.6.2014 passed in Complaint Case No. 673 of
2014, Tr. No. 6422 of 2014 by the Sub-Divisional Judicial Magistrate,
Motihari.

The case of the prosecution is that she was married to the
son of the petitioners on 26.04.2007 where after she went to her
matrimonial home but she was pressurized for additional dowry in
order to purchase flat in Delhi. When she refused her husband slapped
her. The in-laws also tortured her and at the end 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 2007

would be tortured for ends of dowry for the next seven years. Evidently the main grouse was somewhere else. The graphic description which has been given by the complainant also points that they have been falsely implicated.

On the other hand the complainant submits that since the petitioners are parents-in-law they were duty bound to ensure the matrimonial harmony, they should be put on trial.

Considering the nature of dispute and the relationship of the present petitioners with the complainant as also the duration of marriage, the application is allowed and the further proceedings including the order dated 2.6.2014 passed in Complaint Case No. 673 of 2014 Tr. No. 6422 of 2014 by the Sub-Divisional Judicial Magistrate, Motihari is hereby set aside so far as the petitioners are concerned.

(Anjana Prakash, J)

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