

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25580 of 2013

Arising Out of PS.Case No. -2415 Year- 2008 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Kamal Kant Rai @ Pappu @ Kamal Kant S/O Subodh Rai Resident Of Village- Gangajal, Police Station- Rajapakar, District- Vaishali.
 2. Subodh Rai S/O Late Lakshmi Rai Resident Of Village- Gangajal, Police Station- Rajapakar, District- Vaishali.
 3. Kiran Devi W/O Subodh Rai Resident Of Village- Gangajal, Police Station- Rajapakar, District- Vaishali.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Rinku Devi D/O Muneshwar Rai Resident Of Village- Ibrahampur, Police Station- Rajapakar, District- Vaishali At Hajipur

.... 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: 21-06-2016

The petitioners seek quashing of the order dated 29.06.2009 passed by the Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. 2415 of 2008/C.R No. 126 of 2008.

The case of the complainant is that she was married to Petitioner no. 1 on 26.06.2004 but she was tortured for ends of dowry and subsequently ousted from the matrimonial home.

The submission of the petitioners is that in fact the complainant never went to live with the petitioner on account of

which the husband filed Divorce Case No. 108 of 2008 and it is on the same day that the present complaint was filed and subsequently she offered consent divorce by a final decree was passed by the family Court on 29.03.2011.

The submission of the petitioners is that subsequently she also filed a compromise petition in this case to end the dispute finally but till date no action has been taken on the same.

Notices had been issued to the Opposite Party no. 2 but despite service of notice she chosen to appear before this Court.

Having considered the subsequent development and that the complainant is not interested to pursue the complaint, the application is allowed and the order dated 29.06.2009 passed by the Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. 2415 of 2008/126 of 2008 is hereby set aside

(Anjana Prakash, J)

Prakash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.06.2016
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