

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20374 of 2013

Arising Out of PS.Case No. -1023 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Alok Raj S/O Sri Lal Babu Resident Of Mohalla Ranipur Khirki, Gangper, Police Station Mahdiganj, District Patna.
 2. Prem Lata Devi W/O Sri Lal Babu Resident Of Mohalla Ranipur Khirki, Gangper, Police Station Mahdiganj, District Patna.
 3. Lal Babu S/O Sheet Sahay Resident Of Mohalla Ranipur Khirki, Gangper, Police Station Mahdiganj, District Patna.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. The State Of Bihar.
3. Meghna Raj W/O Alok Raj D/O Late Mukul Sardar Resident Of Marufganj, Patna City, Police Station Malsalami, District Patna.
4. Meghna Raj W/O Alok Raj D/O Late Mukul Sardar Resident Of Marufganj, Patna City, Police Station Malsalami, District Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Ballabh Prasad Yadav, Adv.
For the Opposite Party/s : Mr. Md. Ansarul Haque, App
: Mr. Raj Krishna Jha, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 01-03-2016

By way of the present application preferred under Section 482 of the Code of Criminal Procedure (for short “CrPC”), the petitioner seeks quashing of the order dated 09.05.2011 passed by the learned Sub Divisional Judicial Magistrate, Patna City in Complaint Case No. 1023 of 2010, whereby and whereunder he has summoned the petitioners in exercise of power conferred under section 204 CrPC for facing trial under Section 498-A of the Indian

Penal Code and Section 4 of the Dowry Prohibition Act.

It is contended by learned Counsel for the petitioners that the allegations made in the complaint are false and the present case has been set up by the complainant just in order to coerce and blackmail the petitioners.

On the other hand, learned counsel for the Opposite Party No. 2 has submitted that the marriage of the complainant with the petitioner is not in dispute. It has specifically been alleged in the complaint that the complainant was subjected to cruelty for non-fulfillment of demand of Rs. 5 lacs for purchasing land and constructing house. The complainant has supported the allegation in her statement made on oath and apart from the complainant, three witnesses examined during enquiry conducted under section 202 of the CrPC have also supported the complainant's version.

I have heard respective counsel for the parties and perused the record.

It would be evident from perusal of the complaint that the ingredients of the offence punishable under Section 498-A of the Indian penal Code and Section 4 of the Dowry Prohibition Act are clearly attracted in the present case. The allegations made in the complaint have duly been supported by the complainant and her witnesses during enquiry conducted by the jurisdictional Magistrate

under Sections 200 and 202 of the CrPC.

In that view of the matter, I do not find any merit in this application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

U		T	
---	--	---	--