

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.39247 of 2014**

Arising Out of PS.Case No. -1 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-  
SASARAM (ROHTAS)

- =====
1. Sadique Jafar son of late Hafij Mehboob
  2. Taheera Khatoon w/o Sadique Jafar, both resident of Mohalla Nilkothi, P.S. Dehri-on-son, District Rohtas

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Sufia Naj wife of Md. Zamir Noor, D/o Jainool Abedin, resident of Mohalla Nilkothi, P.S. Dehri, District Rohtas

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Md. Khurshid Alam, Advocate  
For the State : Mr. J. Upadhyay, APP  
For Opposite Party No.2 : Mr. Syed Asgher, Advocate

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 09-03-2016**

The Petitioners, who are the in-laws of the Opposite Party No.2, seek quashing of the order of cognizance dated 21.3.2013 passed by the Sub Divisional Judicial Magistrate, Dehri in connection with Complaint case No.01 of 2013.

The case of the Complainant is that she was married to the son of the Petitioners on 12.12.2011, whereafter she came to her matrimonial home. However, everyone started torturing her and also attempted to poison her and ousted her from the matrimonial home.

It has been submitted on behalf of the Petitioners that they had no concern with the affairs of the Complainant and in fact the Complainant was in love with the son of the Petitioners and they

had married out of their own sweet will and subsequently some differences arose between the spouses and then she filed the present Complaint to broach a compromise. Therefore, they should be exonerated from prosecution.

On the other hand, the Counsel for the Complainant submits that it is the father-in-law, who was the main culprit and, hence, he should be put on trial.

Having considered the absurd nature of allegations levelled in the Complaint Petition, the application is allowed and the proceeding including the order of cognizance dated 21.3.2013 passed by the Sub Divisional Judicial Magistrate, Dehri in connection with Complaint case No.01 of 2013 is hereby set aside so far as the Petitioners are concerned.

**(Anjana Prakash, J)**

Narendra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|