

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 50185 of 2012

Arising out of P.S. Case No. -141 Year- 2006 Thana -Vaishali
District- -

- =====
1. Nazma Khatoon, Wife of Mohammad Mustaque Ahmad.
 2. Mohammad Mustaque Ahmad, Son of Mohammad Jaan, Both resident of Village-Bakhra, Police Station-Saraiya, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raushan Khatoon, Wife of Mohammad Imtiyaz Haideri. Resident of Village-Bakhra, Police Station-Saraiya, District-Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, 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 seek quashing of the order of cognizance dated 01.08.2009 passed by the Sub-divisional Judicial Magistrate, Vaishali at Hajipur in Vaishali P.S. Case No. 141 of 2006 (G.R. No. 2178 of 2006, Tr. No. 1937 of 2012).

It has been submitted that notices had been issued to the Opposite Party No. 2 on the ground that now the matter has been resolved between the husband and wife but none appears on her behalf.

Accepting such submission, the entire proceeding against all the accused persons including the order of cognizance dated 01.08.2009 passed by the Sub-divisional

Judicial Magistrate, Vaishali at Hajipur in Vaishali P.S. Case
No. 141 of 2006 (G.R. No. 2178 of 2006, Tr. No. 1937 of 2012)

is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J.)



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