

Arising Out of PS.Case No. -1101 Year- 2007 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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- Petitioner/s

1. The State of Bihar.
2. Smt. Pushpa Devi Wife of Mukesh Pandey@Mukesh Kumar, Daughter of Nagina Mishra All Resident of Village and P.s Baruraj, District Muzaffarpur.

Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi
For the Opposite Party/s : Mr. Indra Kr.Singh(App)

2 12-04-2017 Heard learned counsel for the petitioners and
Mr. J.N. Thakur, learned counsel for the State.

The present application has been filed for quashing the order dated 09.10.2017, whereby, learned Sub-Divisional Judicial Magistrate, East Champaran, Motihari directed for issuance of process after taking cognizance against the petitioners for the offence punishable under Sections 498A and 494 of the Indian Penal Code in connection with Complaint Case No. C-1101 of 2007 corresponding to Tr. No. 5512 of 2015.

The basic accusation is of torture.

The petitioner No. 3 being the husband of the



complainant and petitioner Nos. 1, 2 and 4 being the brothers and father of the husband of the complainant have preferred the present quashing application on the ground that the issue has been resolved between the parties.

Keeping in view of the fact that the impugned order was passed more than nine years ago and there is nothing on record to suggest the present stage of the case, this Court is not inclined to interfere.

Accordingly the application is disposed of with liberty to the petitioners to raise all the contentions including the claim of compromise between the parties at the stage of framing of charge, if the charges have not been framed in the matter.

(Dinesh Kumar Singh, J)

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