

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7083 of 2015

Arising Out of PS.Case No. -365 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

- =====
1. Sanoj Kumar Bharti Son of Late Babu Chand Rajak
 2. Manoj Kumar Bharti @ Manoj Kumar Son of Late Babu Chand Rajak
 3. Ajit Kumar Bharti @ Ajit Kumar Son of Late Babu Chand Rajak
 4. Suchitra Kumari @ Suchitra Devi Wife of Manoj Kumar Bharti
 5. Sobha Devi Wife of Ajit Kumar Bharti
 6. Rajmati Devi Wife of Late Babu Chand Rajak All resident of village -
Hichhapur, P.S. Konch, District - Gaya
 7. Arjun Rajak Son of Late Chhotu Rajak resident of village - Kochra,
P.S. Khudaganj, District - Nalanda

.... Petitioners

Versus

1. The State of Bihar.
2. Shakuntla Devi W/o Munna Rajak resident of village - Khudaganj, P.S.
Khudaganj, District - Nalanda

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sudhir Kumar Sinha
For the State : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 05-12-2017 Heard learned Counsel for the petitioners as well as the
learned Counsel for the State.

The petitioners seek quashing of the cognizance order dated 2.6.2014 passed by SDJM Hilsa, Nalanda in Complaint Case No. 365(C) of 2013, thereby taking cognizance of the offence under Sections 341, 323, 379 and 504/34 of the IPC.

The complainant's case in brief is that her daughter was married in the year 2011 with petitioner No. 1 and after the marriage for realizing a Bolero vehicle all family members used to torture her daughter and in that connection Khudaganj PS Case No. 112 of 2012



was lodged by her daughter under Section 498A of the IPC. The complainant alleged that on the alleged date of occurrence the accused persons came abusing and started assaulting daughter of the informant seeking divorce and also committed theft.

Learned Counsel for the petitioners submits that the matter has been compromised between the petitioner No. 1 and his wife, the daughter of the complainant, and the entire criminal proceeding in the case under Section 498A IPC vide Khudaganj PS Case No. 112 of 2012 has been quashed by order dated 21.6.2017 passed in Cr. Misc. No. 36960 of 2013 on the basis of compromise entered in between the spouses and they also agreed to withdraw all pending cases between them.

Having considered the facts and submission and the fact that by order dated 21.6.2017 the criminal proceeding in Khudaganj PS Case No. 112 of 2012 has already been quashed on the basis of compromise between petitioner No. 1 And the daughter of the present complainant, so in this back drop continuation of the instant proceeding would be an abuse of the process of the court. So entire criminal proceeding of Complaint Case No. 365(C) of 2013 inclusive of the cognizance order dated 2.6.2014 pending in the Court of SDJM Hilsa is hereby quashed.

The application stands allowed.

Snkumar/-

(Arun Kumar, J.)

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