

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53419 of 2013

Arising Out of PS.Case No. -257 Year- 2012 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Pallav Sinha Son Of Ramashray Sinha R/O Quarter No 52, Road No 5,
Anisabad Police Colony Sector, P.S Gardanibagh, District-Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Seema Kumari, D/O Pankaj Kumar Sharma R/O Village-Mahthi, P.S. Bibhutipur, Distt-Samastipur

.... Opposite Party/s

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with

Criminal Miscellaneous No.54232 of 2013

Arising Out of PS.Case No. -257 Year- 2012 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

- =====
1. Aashish Sinha @ Asshish Sinha S/O Ramashrai Sinha Resident Of Village- Nayagaon Satu Khuti, P.S- Parbatta, District- Khagaria.
 2. Priti Sinha @ Suprita Sinha W/O Ashish Sinha Resident Of Village- Nayagaon Satu Khuti, P.S- Parbatta, District- Khagaria.
 3. Ramashray Sinha @ Ramashray Sinha S/O Late Ram Kishore Prasad Singh Resident Of Quarter No. 52, Road No. 5, Anishabad Police Colony, Sector, P.S- Gardanibagh, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Seema Kumari D/O Pankaj Kumar Sharma Resident Of Village- Mahthi, P.S- Bibhutipur, District- Samastipur.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.53419 of 2013)

For the Petitioner/s : Mr. Amish Kumar

For the Opposite Party/s : Mr. Rita Verma (App)

(In Cr.Misc. No.54232 of 2013)

For the Petitioner/s : Mr. Amish Kumar

For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 27-03-2017

Heard learned counsel for the petitioners as well as



learned Additional Public Prosecutor for the State.

2. Both the instant applications have been preferred under Section 482 Cr.P.C. against the order dated 21.03.2013 passed in Complaint Case No.257/12 (Tr.No.2524/13) whereunder the court of Sub-Divisional Judicial Magistrate, Rosera, summoned the petitioners of both the applications, on enquiry under Section 202 Cr.P.C., finding prima facie case for the offence under Sections 498(A) and 323 of I.P.C. hence both applications are heard together and disposed of by common order.

3. Learned counsel for the petitioners submits that the petitioner, Pallav Sinha of Cr.Misc. No.53419 of 2013 is the husband of Seema Kumari, O.P.no.2 whereas petitioners Aashish Sinha @ Assgish Sinha, Priti Sinha @ Supra Sinha and Ramashray Sinha @ Ramashray Prasad Sinha of Cr.Misc. No.54232/13, are brother-in-law, sister-in-law and father-in-law of O.P. no.2, Seema Kumari. Now misunderstanding between the O.P. No.2 and her husband and in-laws is removed and O.P.no.2 is leading her conjugal life with her husband, Pallav Sinha at her matrimonial house and a joint petition bearing I.A. No.576 of 2017 has been filed in this regard in Cr.Misc. No.53419/13.

4. Learned counsel appearing on behalf of O.P.No.2, Seema Kumari, also submits that she is leading



conjugal life with her husband Pallav Sinha at her matrimonial house and there is no grievance of O.P. No.2 against her husband and in-laws and she does not want to proceed further with the case.

Since the matrimonial dispute has been settled in between the O.P.no.2 Seema Kumari and her husband and in-laws and a joint petition, i.e., I.A.No.576/17 has been filed in this regard in Cr.Misc.NO.53419/13, the impugned order dated 21.03.2013 passed in Complaint Case No.257 of 2012 (T.R.No.194/17) filed on behalf of O.P.No.2 summoning the accused petitioners, on enquiry under Section 202 Cr.P.C., finding prima facie case under Sections 498A and 323 Cr.P.C. and the entire criminal proceeding is hereby quashed.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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