

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42830 of 2013

Arising Out of PS.Case No. -131 Year- 2012 Thana -MUZAFFARPUR CITY District-
MUZAFFARPUR

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Md. Nasibur Rahman Son Of Md. Motiur Rahman Resident Of Mohalla-
Riwlaukat Bagh, Mesaul Chowk, Ward No. 27, P.S. & District- Sitamarhi
.... Petitioner

Versus

1. The State Of Bihar
2. M.A. Azaji Son Of Late Dr. M.A. Azaji, Resident Of Village- Azaji House, Dr. Azaji Marg, P.S.- Town, District- Muzaffarpur
3. Smt. Neshat Ajazi, W/o Md. Nasibur Rahman, D/o M.A. Azaji, R/o Mohalla – Riwlaukat Bagh, Mesaul Chowk, Ward No. 27, P.S. & District – Sitamarhi.

.... Opposite Party

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Appearance :

For the Petitioner/s :	Mr. Vijay Anand, Advocate
For the O.P. No. 2 :	Mr. Prasoon Sinha, Advocate
	Mr. Prabhat Kumar, Advocate
For the O.P. No. 3 :	Mr. Ashhar Mustafa, Advocate
	Mr. Murad Ashraf, Advocate
For the State :	None.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 21-06-2017

Heard learned counsel for the petitioner,
learned counsel for the opposite party no. 2 & learned
counsel for the opposite party no. 3.

The petitioners, in the present case, is
seeking quashing of the criminal proceeding registered as
Town P.S.Case No. 131 of 2012 registered under Section
366, 366A of the Indian Penal Code, pending in the Court
of learned Chief Judicial Magistrate, Muzaffarpur.

On earlier occasion, when the matter was
taken up, this Court, while issuing notice to opposite party
no. 2, directed the Investigating Agency to conclude the



investigation within a period of two months. Later on, by order dated 25.06.2015, this Court directed the petitioner to implead the victim as opposite party no. 3. At this stage, although opposite party nos. 2 & 3 are present. All the parties are in agreement that they are having cordial relationship and the petitioner together with opposite party no. 2 is living happy conjugal life with children, and therefore, in the interest of justice, the present criminal proceeding is fit to be quashed.

Considering the nature of allegations and submissions that both the parties (petitioner and opposite party no. 3) are husband and wife and they are living happily with children, this Court is of the opinion that no fruitful purpose will be served by allowing the present criminal proceeding to continue.

Accordingly, in the interest of justice, let the criminal proceeding of Town P.S. Case No. 131 of 2012 pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur be quashed.

(Rajeev Ranjan Prasad, J.)

Rajeev/N.A.F.R.

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