

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31445 of 2014

Arising Out of PS.Case No. -949 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

- =====
1. Sunil Pandey, S/o Late Chandrika Pandey,
 2. Reena Devi, W/o Sunil Pandey, Both Resident of village & P.O. Rupau,
District – Nawada.

.... Petitioners

Versus

1. The State of Bihar
2. Poonam Kumari, w/o Pawan Pandey Resident of village & P.O. Rupau,
District - Nawada

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the State : Mr. Abhay Kumar, APP,
For O.P. No. 2 : Mr. Hans Raj, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

8 27-11-2017

Heard.

This application has been filed under Section 482 of the Code of Criminal Procedure to quash the order dated 20.01.2014 passed in Complaint Case No. 949 (C) of 2013, whereunder the learned S.D.J.M. Nalanda Bihar Sharif summoned the petitioners and Pawan Pandey, on enquiry, under Section 204 Cr.P.C. finding prima facie case under Sections 498(A) and 406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that petitioners are brother-in-law and sister-in-law of the complainant/O.P. No.2 and they used to reside separate after partition before the marriage of O.P. No.2 with Pawan Pandey, but they have also been summoned illegally through the impugned order.

On going through the impugned order, I do not find any



illegality amounting to abuse of process of Court for interference in extraordinary jurisdiction under Section 482 Cr.P.C. Accordingly, this application is dismissed. However, the petitioner would be at liberty to raise his point as raised herein before the trial court at appropriate stage.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

