

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47209 of 2014

Arising Out of PS. Case No.-139 Year-2014 Thana- JAKKANPUR District- Patna

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Preeti @ Soni @ Preeti Ranjan W/o Shri Priya Ranjan Resident of Sunaina Bhawan Opposite Karlo Automobiles, Boring Road, Patna, Bihar Presently Residing at Flat No.- 26B, Vasudha Apartment, Sector -6, Vasundhara, Ghaziabad, Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swati Sinha Daughter of Vijay Kumar sinha Resident of Postal Park, Road No.- 3, P.S.- Jakkanpur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Kumar Prasad, Adv
For the State	:	Mr. TARUN PD.MANDAL(APP)
For the O.P. No. 2	:	Ms. Sudha Ambastha, Adv

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 23-11-2017

Heard learned counsel for the parties.

This petition under Section 482 of the Cr.P.C has been filed for quashing Jakkanpur P.S. Case No. 139 of 2014, in which cognizance has been taken against the petitioner for the offence punishable under sections 498A/34 of the Indian Penal Code.

Briefly stated, the facts of the case is that informant- Swati Sinha who is married with the brother of petitioner, namely Sudhir Kumar, on 12.02.2005 gave written information to the Officer-In-Charge, Jakkanpur P.S. on 31.03.2014 alleging



that informant's in-laws including the petitioner after marriage are committing torture on her for non fulfillment of demand of dowry. It has been alleged that the informant's Father-in-Law and husband used to threaten her. It has been further alleged that her in-laws never allowed her to live peacefully in her matrimonial house for more than two to three months and she was constantly being tortured by them. Four months prior to the institution of the FIR she was compelled to leave her matrimonial home along with her children and thereafter she is residing at her parental home. It has been submitted by the learned counsel for the petitioner that there is no specific allegation made against the petitioner and allegations are vague and omnibus. The petitioner is Sister-in-Law of informant, who got married in the year 2000 and since then she is residing with her husband at New Delhi or Ghaziabad. The petitioner is blessed with two children and both children are pursuing studies at Ghaziabad and petitioner has nothing to do with the affairs of the informant and even on the date of institution of FIR i.e 31.03.2014, she was in Ghaziabad.

Notices were issued to Opposite Party No. 2, and she appeared in this case and had accepted that dispute between the husband and informant has been settled and at present informant



is living in her matrimonial home along with her husband and in-laws.

Considering the facts and circumstances of the present case, continuance of present criminal proceeding as far as the same relates to the petitioner will amount to an abuse of the process of court as such it is expedient in the interest of justice that prosecution as far as same relates to the petitioner be quashed, accordingly Jakkanpur P.S. Case No. 139 of 2014 is partly quashed, as far as it relates to the petitioner.

The petition is allowed.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A
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