

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37437 of 2014

Arising out of P.S. Case No.1883 Year 2013 Thana PATNA COMPLAINT CASE District PATNA

- =====
1. Smt. Manti Devi W/o Mahendra Choudhary (Mother-In-Law)
 2. Mahendra Choudhary Son of Late Ramehwar Choudhary (Father-In-Law) Both resident of Village - Andar Bazar, Masjid Gali, P.S. - Chandradeep, District - Jamui.

.... Petitioners

Versus

1. The State of Bihar.
2. Smt. Jyoti Kumari D/o Brij Bihari Choudhary, W/o Rajendra Kumar Resident of Village - Lodipur, P.S.- Gandhi Maidan, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 03-08-2017

Heard learned counsel for the parties.

2. This quashing application has been filed by the petitioners, who are accused in Complaint Case No.1883(C) of 2013, filed by daughter-in-law for committing torture and harassment in connection with demand of dowry under Section 498A of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are father-in-law and mother-in-law and there is no specific allegation against them regarding making demand of dowry and torture in that connection. However, later on development is that the differences between husband and wife have been reconciled and both are living together and they agree to withdraw their respective



cases.

4. Learned counsel appearing on behalf of opposite party no.2 also concedes to the argument that husband and wife both are living together amicably.

5. Having considered the submissions of both sides as well as on perusal of records, this Court finds that petitioners are father-in-law and mother-in-law and there is no specific allegation against these two in the complaint petition except general and omnibus allegation and now the situation has changed in view of the fact that wife and husband both are living together peacefully after reconciling the differences so the criminal proceeding against the petitioners would be abuse of the process of the court so the order of cognizance dated 02.05.2014, passed in Complaint Case No.1883(C) of 2013 by the learned Judicial Magistrate, 1st Class, Patna and subsequent criminal proceeding against the petitioners is set aside.

6. The petition stands allowed.

(Arun Kumar, J.)

S.Kumar/-

AFR/NAFR	NAFR
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