

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47254 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- SAHARSA

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1. Rashmi Mishra ,
 2. Snigdha Mishra

Both daughters of Vijay Mohan Mishra

3. Smt. Mithilesh Mishra Wife Of Vijay Mohan Mishra
4. Vijay Mohan Mishra Son Of Late Dukhmochan Mishra

All residents of Village- Sindur (N.H.33), Hazaribagh, Near Circuit House. In Front Of V.C. Kothi, P.S.- Hazaribagh, Sadar, District- Hazaribagh,(Jharkhand), Permanent Resident Of Village- Tumoul, P.S.- Ghanshyampur, District- Darbhanga(Bihar).

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Kumari Komal Wife Of Vinay Kumar Mishra, presently residing with her mother namely, Sheela Devi, Quarter No. 15/B New Colony, Saharsa, P.S.- And District- Saharsa.

.... Opposite Party/s

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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: 28-06-2017

Heard learned counsel for the parties.

2. This quashing petition is moved on behalf of only petitioner nos. 3 and 4, namely, Smt. Mithilesh Mishra and Vijay Mohan Mishra, being the mother-in-law and father-in-law respectively, as the cognizance order against the petitioner nos. 1 and 2 was earlier set aside by this court by order dated 16.10.2014.



3. The petitioners are accused in Complaint Case No. 214(C) of 2011 and after inquiry, the learned S.D.J.M., Saharsa has taken cognizance of offence under Sections 498A/313 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

4. Learned counsel for the petitioners submits that earlier matter was referred to the Mediation Centre, but due to attitude of the complainant, the dispute could not be resolved there. It is further submitted that these two petitioners are mother-in-law and father-in-law and the allegation against both of them are general and omnibus and there is no specific allegation against them.

5. It appears that complainant's marriage was solemnized with the son of the petitioners only two years prior to lodging of this complaint and there is allegation against the petitioners also that they tortured her in connection with realizing further dowry and due to the said torture and assault, her three months pregnancy also got terminated. So no ground for interference in the cognizance order against the petitioner nos. 3 and 4 is made out. The petition stands dismissed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
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