

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20547 of 2014

Arising Out of PS.Case No. -329 Year- 2013 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

=====

1. Faisal Khan S/o Md. Aseem Khan resident of Mohalla - Kotwali Chowk,
P.S. SAdar, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ahtasham Ali Khan

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

7 06-09-2017 This case has been listed under the heading to be mentioned for rectifying the mistake in the order dated 23.08.2017. In fact on that day, the Court passed detailed order and with reason for refusing to exercise jurisdiction under Section 482 Cr.P.C. but inadvertently in place of detailed order, it was wrongly typed as dispose of as infructuous.

The order dated 23.08.2017 is recalled. On that day parties have appeared and considering the submission of the petitioner disputing the factum of marriage itself and raised the issue as to applicability of Section 498A of the Indian Penal Code, this Court passed order disposing the application with liberty to the petitioner to raise all such issues of maintainability of the complaint



including the dispute of factum of marriage before the Court below, if such petition is filed by the petitioner before the Court below, the Court below will pass appropriate order after providing opportunity of hearing to the parties and on consideration of the entire materials available on record.

The order recorded on 23.08.2014 is accordingly recalled and the application is disposed of with the aforesaid observation and liberty discussed above.

(Anil Kumar Upadhyay, J)

Sanjeev/-

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

