

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46254 of 2016

Arising Out of PS.Case No. -732 Year- 2010 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Arti Kumari @ Arti Sinha W/o Anupam Kumar @ Anupam Kumar Sinha
2. Anupam Kumar @ Anupam Kumar Sinha S/o Late Sita Prasad @ Late
Sita Singh both resident of Village- Jalalpur, P.S.- Chandi, District-
Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gitanjali daughter of Suresh Chandra Sinha resident of Mohalla-
Mathuria, P.S.- Laheri Biharsharif, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Smt. Gulnar Begam

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 25-05-2017

Heard learned counsel for the parties.

The present application has been filed for quashing
the order dated 7.10.2010 passed by the learned SDJM, Nalanda at
Biharsharif in Complaint Case No. 732C of 2010 whereby process
has been directed to be issued after cognizance being taken for the
offences under sections 498A,323,504 and 379 of the Indian Penal
Code and sections 3 and 4 of Dowry Prohibition Act.

It is submitted by learned counsel for the petitioners
that the petitioner no.1 is paternal sister-in-law of the
complainant's husband and petitioner no.2 is the husband of
petitioner no.1. Only accusation against them is that they used to



instigate the husband of the complainant. It is further submitted that witnesses have been examined at pre-charge level under section 244 Cr.P.C.

In view of the changed stage of proceeding, this application is disposed of with a liberty to the petitioners to raise all contentions at the time of framing of charge if the same has not framed as yet. The learned court below is expected to consider the contentions of the petitioner on its own merit without being prejudiced by the order of this Court.

(Dinesh Kumar Singh, J)

Anil/-

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