

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14309 of 2017

Arising Out of PS.Case No. -119 Year- 2009 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Yashmin Begam wife of Shaukat Ali daughter of Late Islamuddin, resident of
village-Jaffar Tola (Ahir Toli) P.S.-Baraoli, District- Gopalganj at present resident
of village-Majhagarh New Bazar, P.S.-Majhagarh, District- Gopalganj

.... Petitioner/s

Versus

1.State of Bihar

2. Shaukat Ali son of Attaul Haque, resident of village-Jaffar Tola (Ahir Toli), P.S.-
Baraoli, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate

For the State : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 15-02-2018

By order dated 02.09.2014 passed in Cr.Misc. No.44392 of
2010 cognizance taken in Complaint Case No.119 of 2009 registered
for the offence punishable under Section 498A of the Indian Penal
Code has been quashed.

2. In compliance with the said order dated 02.09.2014, the
learned Chief Judicial Magistrate, Gopalganj dropped the proceeding
of the said complaint case vide order dated 23.01.2017. The said order
dated 23.01.2017 has been challenged before this Court in the present
application.

3. On query made by this Court, learned counsel for the
petitioner submitted that the order passed by this Court on 02.09.2014



in Cr. Misc. No.44392 of 2010 has not been challenged by the petitioner. In view of the order passed by this Court, which has attained finality, if the learned Chief Judicial Magistrate has dropped the proceeding of the complaint case, no illegality can be found with the order impugned. The instant application is an abuse of the process of the court.

4. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
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