

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49887 of 2013

Arising Out of PS. Case No.-326 Year-2010 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Niraj Kumar Son of Prof. Vidya Sagar Prasad Resident of Hilsa (Town), P.S.-
Hilsa, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Priya D/o Arun Kumar Sinha, R/o Mohalla- Bhainsasur, Near
Telephone Exchange, P.S.- Bihar Sharif, District- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL JUDGMENT

Date : 06-04-2018

Heard learned counsel for the petitioner, learned APP for
the State as well as learned counsel appearing on behalf of
opposite party no.2.

2. The quashing application has been filed by the
petitioner, husband of the complainant of Complaint Case
No.326C of 2010, for setting aside the criminal proceeding
inclusive of the order of cognizance dated 11.06.2010 taken under
Sections 498(A), 406, 323, 379 and 504/34 of the Indian Penal
Code, passed by learned SDJM, Nalanda at Bihar Sharif.

3. Learned counsel for the petitioner submits that the
petitioner is the husband and the grievance of the wife is that



marriage was solemnized by falsely representing that the petitioner is a Software Engineer and further that he asked his wife to demand Rs.5,00,000/- from her parents due to financial crisis and in such situation it cannot be considered demand of dowry.

4. Learned counsel appearing on behalf of opposite party no.2 submits that there is specific allegation in the complaint that the complainant was tortured by the petitioner and other family members for not bringing the further dowry of Rs.5,00,000/- from her parents and ultimately she was ousted from the matrimonial home and quashing application of other co-accused has already been dismissed by this Court.

5. The Court does not find any ground for quashing the order of cognizance in the matter as the allegations levelled in the complaint do disclose the ingredients of the offence, hence the quashing application stand dismissed.

(Arun Kumar, J)

S.KUMAR/-

AFR/NAFR	NAFR
CAV DATE	NA
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