

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46521 of 2013

Arising Out of PS. Case No.-449 Year-2013 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Syed Tanveer Son Of Syed Faze-E-Imam R/O Village-Jalhan
Miyan Toli, P.S.-SANGRAMPUR, Distric-East Champaran
 2. Syed Faze-E-Imam Son Of Late Syed Abdul Gaffar R/O Village-
Jalhan Miyan Toli, P.S.-SANGRAMPUR, Distric-East
Champaran
 3. Mustquima Khatoon Wife Of Syed Faze-E-Imam R/O Village-
Jalhan Miyan Toli, P.S.-SANGRAMPUR, Distric-East
Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Noor Fatma D/O Syed Jan Mohammed R/O Village-Fadwa, P.S.-Harsiddhi,
District-East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Ashraf Ansari (App)

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 06-04-2018

As far as applicant No.1 Syed Tanveer is concerned,
learned Counsel prays for permission to withdraw this application
with respect to the said applicant with liberty to raise appropriate
objection before the trial court and seek his discharge.

Accordingly, the application, so far as applicant No.1
Syed Tanveer is concerned, is dismissed as withdrawn with the
liberty as aforesaid.

The application is now being prosecuted on behalf of
applicant No.2 Syed Fazl-E-Imam and applicant No.3 Mustquima



Khatoon, who are the father-in-law and the mother-in-law respectively of the complainant. On a perusal of the complaint, Annexure 1 and the averment of the complainant recorded before the trial court, it is seen that she makes various allegations against applicant No.1 Syed Tanveer in the matter of marrying her by concealing his 1st marriage and with regard to harassment and demand of a Motorcycle etc.

So far as applicant No.2 Syed Fazl-E-Imam and applicant No.3 Mustquima Khatoon are concerned, omnibus general allegations have been brought on record without specifying any particulars of the overt act attributed to them which amounts to harassment or demand of dowry.

That being so, no offence under Section 498A of I.P.C. is made out against applicant Nos.2 and 3 on a perusal of the averment of the complainant recorded before the trial court and, therefore, the application with regard to these two applicants is allowed.

Accordingly, the entire proceeding in Trial No.3363 of 2013, arising out of Complaint Case No.449 of 2013, pending in the Court of learned S.D.J.M., Motihari, East Champaran and the order dated 1.8.2013 taking cognizance of the offence against



these two applicants are quashed and they are discharged of the proceedings.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.04.2018
Transmission Date	

