

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25844 of 2016

Arising Out of PS.Case No. -1753 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Sheo Kumari Devi, wife of Shri Chandrama Singh
 2. Chandrama Singh, son of Late Bishwanath Singh
 3. Kuer Singh @ Kunwar Singh, s/o Chandrama Singh
 4. Harendra Singh, s/o Chandrama Singh

All are residents of Village Suryapura, PS Basantpur, District Siwan

.... Petitioner/s

Versus

1. State of Bihar
2. Priyanka Devi, W/o Pappu Singh, D/o Ram Lochan Singh, r/o Village East Pakri, PS Dumaria Ghat, District East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Rai Raman, APP 49

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 02-05-2018

Seeking quashing of an order dated 06.08.2015 passed by the Judicial Magistrate, 1st Class, Sadar Motihari in Complaint Case No. 1753 of 2014 for offences under Sections 323, 341, 498A, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act against the applicants, this application has been filed under Section 482, Cr.P.C.

It is the case of the applicants that they are only related to the complainant-respondent herein. They have not committed any offence and on the basis of general and omnibus allegations they are being implicated in the case and seek quashing of the complaint.



However, on perusal of the complaint, the pleadings made therein and the statement of the complainant herself it is seen that the complainant was married to respondent no. 1- accused, namely, Pappu Singh on 14.05.2009 and thereafter she was staying with him. He went to Ludhiyana and was working in a Jeans Factory there at Ludhiyana. It is stated that the complainant was staying with the present applicants who are her mother-in-law, father-in-law, brother-in-law and other relatives and specific allegations have been made with regard to her harassment on various dates from the year 2013, particularly on 15.12.2013 and 10.08.2014. It is the case of the complainant that after her husband solemnized the second marriage at Ludhiyana the applicants started harassing her by demanding dowry and other articles. She informed her parents of her torture and when they did not accede to the demand of dowry the applicants drove her out of home on 15.12.2013 while she was pregnant of six months.

Keeping in view the serious nature of allegations made in the complaint which are specific in nature attributed against the applicants for their acts of omission and commission to the complainant, it is not a fit case where exercising jurisdiction of this Court under Section 482 Cr.PC complaint can be quashed.

Accordingly, this application is dismissed with liberty to



the applicants to raise all the pleas which have been raised here by filing an appropriate petition before the court below.

(Rajendra Menon, CJ)

mr1/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	03/05/2018
Transmission Date	

