

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15310 of 2014

Arising Out of PS.Case No. -1118 Year- 2005 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Balam Singh Son Of Late Kedar Singh Resident Of Village - Taulaha,
P.S.- Ram Nagar, District -West Champaran At Bettiah (Bihar)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Chanda Rani Daughter Of Late Kharg Bahadur Singh Resident Of
Mohalla - Officer'S Colony, Bettiah, P.S.- Bettiah Town, District - West
Champaran At Bettiah (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar
For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

15 08-01-2018 The petitioner has sought quashing of the order dated 26.08.2006 passed by the learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 1118/C/2005, whereby cognizance has been taken against the petitioner under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that he is the uncle of the husband of the complainant and a general and omnibus allegation has been levelled against him. It has further been submitted that during the enquiry, the complainant/opposite party no. 2 settled the dispute with her



husband and others and filed a petition seeking compounding of the case before the court below on 18.03.2009. Annexure-2 is the petition filed on behalf of the complainant seeking the compounding of the case.

Learned counsel for the petitioner has also submitted that the complainant has married somebody else now and is not willing to prosecute the petitioner and others. This statement has been made on the strength of the fact that despite service of notice to the complainant/opposite party no. 2, there has not been any appearance on her behalf till date.

Considering the aspect of the matter, this Court is of the view that either the complainant has lost interest in the matter or is not willing to prosecute the petitioner any further.

Accordingly, the order taking cognizance dated 26.08.2006 is set aside and the application is accordingly allowed.

(Ashutosh Kumar, J.)

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