

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5637 of 2018

Arising Out of PS.Case No. -3319 Year- 2015 Thana -SARAN COMPLAINT CASE District-
SARAN

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Arvind Roy @ Arvind Kumar Roy, son of Prithavi Roy, resident of village-
Dandarpur, P.S. - Janta Bazar, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Punam Devi @ Punita Devi, daughter of Late Chandar Shekhar Prasad, wife of Arvind Roy, resident of village- Dandarpur, P.S.- Janta Bazar, District- Saran at Chapra. At present Address- Punita Devi, daughter of Late Chandra Shekhar Prasad, resident of village- Sripur, P.S.- Sahazitpur, District- Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 14-08-2018

The sole defect as pointed out by the Registry is ignored.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. This application under Section 482 of the Code of
Criminal Procedure (for short 'the Cr.P.C.') has been filed by the
petitioner for quashing the order dated 10.07.2017 passed in Domestic
Violence Case No.56 of 2017 arising out of Mahila Helpline Saran
C.3319 of 2015 by the learned Judicial Magistrate, 1st Class, Chapra,
Saran whereby and whereunder the petitioner has been directed to pay
a sum of rupees two thousand five hundred as interim expenses per



month to opposite party no.2.

4. Section 29 of the Protection of Women from Domestic Violence Act, 2005 provides that an appeal from the order made by the Magistrate shall lie to the Court of Session within thirty days from the date of service of the order on the aggrieved person or the respondent whichever is later. Instead of filing a statutory appeal, the petitioner has invoked the inherent jurisdiction of this Court.

5. This application in its present form is not maintainable. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.08.2018
Transmission Date	19.08.2018

