

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1827 of 2016

Arising Out of PS. Case No.-2456 Year-2012 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

1. Nandlal Singh S/o Late Ramadya Singh
2. Bhagya Narain Singh S/o Nandlal Singh
3. Seema Devi W/o Bhagya Narain Singh All R/o village -
Barharwa, P.S. Motihari Muffasil, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi W/o Late Tej Narayan Singh, D/o Late Dilip Singh R/o village -
Budwa Rohiniya, P.S. Banjariya, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Patanjali Rishi, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 25-04-2018

Seeking quashing of a criminal complaint registered against the applicant for offence under Section 498A of I.P.C. in T. R. No.4077 of 2015, arising out of Complaint Case No.2456 of 2007 by the Chief Judicial Magistrate, Motihari, East Champaran, this application has been filed under Section 482 of Cr.P.C.

Applicants herein are the parents and sister of late Tej Narayan Singh. The complainant respondent Rina Devi was married to Tej Narayan Singh on 10.6.2011 and it is said that at the time of marriage various house-hold items and gifts to the tune of Rs.2,50,000/- were given. Demanding dowry, the family started



harassing the complainant. However, her husband always protested to the same and protected her. It is said that both the complainant and her husband were tortured by the family members. As a consequence thereof her husband died. After the death of her husband, the accused persons regularly tortured her and one day they snatched her belongings, abused her and threw the complainant out of the house while she was still pregnant.

Based on the aforesaid, the complaint has been registered and pleading false allegation and accusation, this application has been filed for quashing the complaint case and the cognizance taken.

Having heard learned counsel for the parties and on a perusal of the complaint and the statement of the complainant recorded by the trial court, it is clear that the marriage took place on 10.6.2011 and after the death of her husband on 1.6.2012, specific allegations are made with regard to throwing out the complainant, who was pregnant at that point of time, from her house at around 10:00 a.m. after snatching away all her belongings and assaulting her.

It is after taking note of these factors that the complaint has been abused and tortured and thrown out of her house after the death of her husband in 2012 that the cognizance in the matter has



been taken. Keeping in view the specific allegations made which are available on record, at this stage in exercise of the extraordinary jurisdiction available to this Court under Section 482 of Cr.P.C., no case is made out for interference into the matter.

Accordingly, finding no ground for interference, the application is dismissed.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.05.2018
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