

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44438 of 2015

Arising Out of PS. Case No.-44 Year-2015 Thana- BISHWAMBHARPUR District-
Gopalganj

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Sachin Chauhan Son of Jyoti Chauhan resident of Village- Bajar Matihaniya ,P.s Bishambharpur ,District Gopalganj, At present 1876 Rajgarh Extension Gali No. 11, P.s Gandhinagar In Front of Bal Bharti School , Delhi-110031

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ekta Chauhan W/o Sachin Chauhan ,D/o Jitendra Chauhan resident of Village- Tariya, Harkosh, p.s Tariya Sujan, District Kushinagar(U.P) At present E 16/41 Block -E Pocket 16 Sector 8 Rohini P.s Rohini Delhi 110085

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 28-11-2018

Nobody appears on behalf of the petitioner.

2. The matter has been placed before the Bench in terms of the office note dated 07.05.2018 indicating that notice was issued to opposite party no. 2 by order dated 28.03.2018 directing requisites etc. to be filed within two weeks, failing which the application, against the concerned opposite party would stand dismissed without further reference to the Bench.

3. As per the office report, the same has not been complied with and, thus, the application against the opposite party no. 2 stood dismissed.



4. The petitioner has moved the Court for quashing of the F.I.R. of Bishambharpur P.S. Case No. 44 of 2015 instituted under Sections 341/323/420/406/498A/120B/386 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act and the opposite party no. 2 was the informant, being the wife.

5. In view of the application having been dismissed against the opposite party no. 2, the Court finds that the application, in her absence, is incompetent to proceed.

6. In view thereof, the application stands dismissed.

(Ahsanuddin Amanullah, J)

Anjani/-

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