

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.26 of 2018

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Madhavi Devi @ Madhbi Devi, Wife of Tribhuwan Prasad
Singh, Resident of Village : Rangaon, P.S. : Dhoraiya,
District : Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tribhuwan Prasad Singh, Son of Late Yogendra Prasad
Singh, Resident of Village : Rangaon, P.S. : Dhoraiya,
District : Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms. Shail Kumari Jha, Adv.

For the State : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-07-2018 The petitioner/wife has challenged the order dated 06.10.2017, passed by the learned Sub-Divisional Judicial Magistrate, Banka in Complaint Case No. 720 of 2015, whereby the same has been dismissed under Section 203 of the Code of Criminal Procedure as no offence has been made out in the complaint petition.

The opposite party No. 2/accused/husband had filed a petition before this Court under the Revisional jurisdiction, wherein, an affidavit was incorporated which



contained the signature of the petitioner/complainant/wife. The petitioner has alleged that the aforesaid signature was forged and it was not hers.

The court below has, though, not given a correct reason for dismissing the complaint, but the fact remains that for the aforesaid offence, a complaint could have been lodged only at the instance of the Court, where a forged document was filed by the opposite party No. 2.

Under such circumstances, Ms. Shail Kumari Jha, learned Advocate for the petitioner seeks permission to withdraw the present petition in order to enable the petitioner to prefer a fresh application under Section 340 of the Code of Criminal Procedure before the High Court, where forged and fabricated document was allegedly filed by the opposite party No. 2.

The present petition is permitted to be withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

Praveen-II/-

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