

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7579 of 2015

Arising Out of PS. Case No.-1366 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

-
1. Jamal Akhtar Son of Late Abdus Subhan Siddique
 2. Nafis Fatma wife of Jamal Akhtar Both resident of Mohalla- New Colony, Mandai, Mewa Sao Lane Sultanganj P.S- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ayesha Zeya wife of Sarfaraz Akhtar and daughter of Md. Zeyaul Haque resident of Mohalla- Hameedpur Kurji, P.S. - Digha, District- Patna.

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 15027 of 2015

Arising Out of PS. Case No.-1366 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

Sarfaraz Akhtar Son of Jamal Akhtar resident of Mohalla - New Colony, Mandai, Mewa Sao Lane Sultanganj, P.S. - Sultanganj, District - Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ayesha Zeya Wife of Sarfaraz Akhtar and daughter of Md. Zeyaul Haque resident of Mohalla - Hameedpur Kurji, P.S. - Digha, District - Patna.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 7579 of 2015)

For the Petitioner/s : Mr.Md. Anis Akhtar, Adv

For the Opposite Party/s : Mr.S.Dayal, APP

(In CRIMINAL MISCELLANEOUS No. 15027 of 2015)

For the Petitioner/s : Mr.Md. Anis Akhtar, Adv

For the Opposite Party/s : Mr.Binod Kumar -III, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 29-07-2019

Heard learned counsel for the parties in both the
applications.



2. Both the applications under Section 482 Cr.P.C are for quashing the order of cognizance dated 20.02.2014 passed in Complaint Case No.1366(C) of 2013 whereby the learned Sub Divisional Judicial Magistrate, Patna has taken cognizance against the petitioners for offences under Section 498(A) I.P.C. and Section 3/4 of Dowry Prohibition Act.

3. Learned counsel for the petitioners as well as opposite party No.2 submits that the parties have settled their dispute outside the Court. In the circumstance aforesaid, continuance of the criminal proceeding would amount to the abuse of the process of the Court.

4. Finding substance in the submission aforesaid, let the impugned order and the subsequent proceeding arising out of the complaint case be quashed and both the applications stand allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.07.2019
Transmission Date	30.07.2019

