

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28692 of 2014

Arising Out of P.S. Case No.-169 Year-2013 Thana- DESARI District- Vaishali

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1. Jai Mangal Singh @ Jai Mangal Pd. Singh, Son of Late Jattu Singh.
 2. Saroj Devi @ Saroj Singh wife of Jai Mangal Singh Both are resident of Village Chhoti Marai, P.S. Hajipur Town, District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. P.G. Nisa Daughter of Prabhat Kumar, Resident of Village Bhikhanpura, P.S. Desari (Chandpura O.P.) District Vaishali.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 20534 of 2016

Arising Out of P.S. Case No.-169 Year-2013 Thana- DESARI District- Vaishali

Dr. Pawan Kumar Son of Jai Mangal Singh Resident of Village Chhoti Marai, P.S. Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. P.G. Nisa daughter of Prabhat Kumar Resident of Village Bhikhanpura, P.S. Desari (Chandpura O.P.) District- Vaishali.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 28692 of 2014)

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, A.P.P.
For the Informant	:	Mr. Surendra Kishore, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, A.P.P.

(In Criminal Miscellaneous No. 20534 of 2016)

For the Petitioner/s	:	Mr.
For the State	:	Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 02-01-2019

Heard learned counsel for the petitioners, learned A.P.Ps.

for the State and learned counsel for the Opposite Party No. 2.



2. The petitioners have moved the Court under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the 'Code') for quashing of the order dated 25.04.2014, passed in Desari P.S. Case No. 169 of 2013/Tr. No. 4733 of 2014 by the Judicial Magistrate, 1st Class, Vaishali at Hajipur by which cognizance has been taken against them under Sections 341/323/307/406/498A/504/506/120B of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. The petitioners are father-in-law, mother-in-law and husband of the Opposite Party No. 2.

4. At the very outset, learned counsel for the parties informed the Court that the parties have compromised the matter, but the case is pending, both on account of there being stay in the present cases and also cognizance having been taken under non-compoundable sections.

5. Having regard to the fact that the matter basically relates to matrimonial dispute between the parties, and the same having been mutually compromised, the Court finds that a case for interference under Section 482 of the Code in exercise of its inherent power for securing the ends of justice, has been made out.

6. Accordingly, the applications are allowed. The order dated 25.04.2014 passed in Desari P.S. Case No. 169 of 2013/Tr.



No. 4733 of 2014 taking cognizance under Sections 341/323/307/406/498A/504/506/120B of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act against the petitioners stands quashed.

(Ahsanuddin Amanullah, J.)

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