

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36670 of 2016

Arising Out of PS. Case No.-261 Year-2009 Thana- PATNA COMPLAINT CASE District-
Patna

-
1. Janardan Prasad Verma and Ors son of Late Shital Verma Resident of Mohalla- Chitranjan Road, Ward No.12, Purani Bazar, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai.
 2. Malti Devi wife of Janardan Verma, Resident of Mohalla- Chitranjan Road, Ward No.12, Purani Bazar, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai.
 3. Jitendra @ Jitu Verma @ Jitendra Kumar Verma Son of Janardan Verma Resident of Mohalla- Chitranjan Road, Ward No.12, Purani Bazar, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai.
 4. Ravi Kumar Verma Son of Janardan Verma Resident of Mohalla- Chitranjan Road, Ward No.12, Purani Bazar, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai.
 5. Sima Devi wife of Gopal Verma Resident of Mohalla- Chitranjan, besides High School, P.S.- Chitranjan Mehijam, District- Lakhisarai.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Kumari Chandani Wife of Anand Kumar Verma @ Mithu Verma, Resident of Mohalla- Chitranjan Road, Ward No.12, Purani Bazar, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai. Presently at C/o Ram Pravesh Ram, S/o Late Shankar RAM, Lakshmipur, P.O.- Raily, P.S.- Pandarak, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kamal, Advocate
For the Opposite Party/s : Mr.Sri Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners, at the outset,
seeks permission to withdraw the present quashing application
with respect to petitioner nos. 1 and 2.

Permission is accorded.



The present quashing application has been filed seeking quashing of the order dated 18.03.2016 passed by the learned S.D.J.M., Barh in Complaint Case No. 261(c) of 2009 whereby the learned trial court has been pleased to dismiss the discharge petition of the petitioner.

Learned counsel for the petitioners submits that petitioner nos. 3 and 4 are younger brother of the husband of the complainant and petitioner no.5 is the sister of the father of the husband of the complainant i.e., (*bua*) of the husband of the complainant, learned counsel next submits that from bare perusal of the allegations as alleged in the F.I.R. it would manifest that the allegations as far as these petitioners are concerned, are cryptic and vague, no specific allegation has been alleged against them. It is further submitted that since petitioner no.5 is own *bua* of the complainant as such she has been roped in the present case only to create pressure upon the family members of her husband including her father-in-law to settle the issues.

Learned counsel for the petitioner further submits that it has become rampant to include the entire family members as accused in a case relating to 498A of the Indian Penal Code without alleging any overt act, it is next submitted that it is very



easy to implicate accused persons and especially the family members of the informant by leveling general and omnibus allegations.

After hearing the learned counsel for the petitioner, the Court was inclined to interfere with the order by which the discharge of the petitioners was rejected but learned counsel for the petitioner very fairly disclosed that the trial has proceeded and is at its fag end.

Since the trial has commenced and is nearing its end as such the Court for the present is not inclined to interfere with the order of discharge dated 18.03.2016 passed by the learned S.D.J.M., Barh in Complaint Case No. 261(c) of 2009 and leaves it to the wisdom of the learned trial court to decide the case.

Accordingly, the quashing application is disposed of.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

