

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19157 of 2021

Arising Out of PS. Case No.-1888 Year-2015 Thana- SARAN COMPLAINT CASE District-
Saran

=====

SANJEET KUMAR TIWARI SON OF LALLAN TIWARY RESIDENT OF
VILLAGE- RAMGARH, P.S.- SISHWAN, DISTRICT- SIWAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. KANCHAN KUMARI WIFE OF SANJEET KUMAR TIWARI,
RESIDENT OF VILLAGE- RAMGARH, P.S. SISHWAN, DISTRICT-
SIWAN. (AT PRESENT- RESIDENT OF KARAHAT, P.S.- DERANI,
DISTRICT- SARAN)

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-09-2023 Learned counsel for the petitioner is directed to remove

all the defects pointed out by the Stamp Reporter within one

month.

2. Heard the learned counsel for the petitioner as well as

learned APP for the State.

3. This is an application under Section 482 of the CrPC

for quashing the order dated 26.07.2015 passed by the learned
J.M. 1st Class, Saran in Trial No. 1337 of 2015/1117 of 2019
arising out of Complaint Case No. 1888 of 2015, by which the
learned Magistrate has taken cognizance against the petitioner
under Sections 498A of the I.P.C and Section ¾ of the D.P. Act.



4. It is a case of matrimonial dispute. There is allegation that three persons including the petitioner tortured the victim for non-fulfillment of demand of dowry.

5. After perusal of the materials during the inquiry, the learned court below vide impugned order issued summons against the petitioner and other accused persons.

6. Learned counsel for the petitioner has submitted that the complainant is mentally ill and she had attempted to commit suicide.

7. After considering the statements of three witnesses examined during the course of enquiry, the learned court below has taken cognizance.

8. The petitioner may raise his points at the time of framing of charges.

9. With these observations, this criminal miscellaneous petition is disposed of.

10. Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

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

