

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17963 of 2023

Arising Out of PS. Case No.-154 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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RINKU KUMAR Son of Hajari Prasad Gupta R/o Mohalla- Barmasia Pul,
Mahavir Nagar, P.S- Dhanbad (T) Dist- Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Gupta Wife of Rinku Kumar , Daughter of Krishna Kumar Gupta R/V-
Hariharganj,. PS- Nasriganj Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 28-03-2023 Heard the parties.

This application has been filed for quashing the order dated 10.08.2022 passed by learned A.C.J.M. 1st, Bikaramganj, Rohtas in Complaint Case No. 154 of 2021.

The petitioner wants quashing of impugned order under Section 498A.

Petitioner is the husband of the opposite party no. 2.

The defence of the petitioner cannot be looked at by this Court at the stage of cognizance. All the materials on which the petitioner relies can be looked into by the Court below at the time of framing of charge when the petitioner has liberty to file a discharge application.



The Maintenance Case No. 64 of 2021 (Priya Gupta vs Rinku Kumar) pending in the Court of Principal Judge Family Court, Sasaram shall be disposed of by the Principal Judge Family Court, Sasaram within three months of communication of this order. In case the petitioner does not cooperate in the matter, the Principal Judge Family Court, Sasaram will proceed *ex parte* in the matter.

With the aforesaid observation and direction, this application is dismissed.

(Sandeep Kumar, J)

Shishir/Vikas

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