

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53521 of 2019

Arising Out of PS. Case No.-1440 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. MD. TAIYAB ALI Son of Md. Hanif Resident of Central Saat, Village - Kolyathi (Bogra), P.S.- Jamuria, District- Bardhaman, State - West Bengal
 2. Tariq Aziz @ Md. Tariq Aziz Son of Md. Taiyab Ali Resident of Central Saat, Village - Kolyathi (Bogra), P.S.- Jamuria, District- Bardhaman, State - West Bengal
 3. Abda Parveen Wife of Md. Taiyab Ali Resident of Central Saat, Village - Kolyathi (Bogra), P.S.- Jamuria, District- Bardhaman, State - West Bengal
- Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. Nikhat Parveen Wife of Monu Kumar Resident of Village - Patyli, P.S.- Ujjiyarpur, District- Samastipur. A/P Residing at Central Saat, Village - Kolyathi (Bogra), P.S.- Jamuria, District- Bardhaman, State - West Bengal
- Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Sr. Advocate Mr. Bhola Kumar, Advocate
For the State	:	Mr. Abhay Kumar, A.P.P.
For the O.P. No. 2	:	Mr. Ravi Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-11-2023 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the opposite party no. 2.
2. The present quashing application has been filed for quashing of the order dated 08.03.2019 passed by the learned Additional Chief Judicial Magistrate-VI, Samastipur in Complaint Case No. 1440 of 2017, Tr. No. 2040 of 2019 whereby cognizance of the offences under Sections 323 and 379 of the Indian Penal Code has been taken.
3. Learned counsel for the petitioners submits that



opposite party no. 2 is own daughter of petitioner nos. 1 and 3 and is own sister of petitioner no. 2. It is further submitted that the opposite party no. 2 had married a Hindu boy which had led to animosity in the family. It is next submitted that on intervention of the well wishers, the petitioners and the opposite party no. 2 have entered into a compromise and the opposite party no. 2 does not intend to pursue the case.

4. Learned counsel appearing on behalf of the opposite party no. 2 concurs with the submissions of the learned counsel for the petitioner and submits that he has instruction to make submissions that the opposite party no. 2 is not opposing the quashing application.

5. Considering the submissions made by the learned counsel appearing on behalf of the opposite party no. 2, the order dated 08.03.2019 passed by the learned Additional Chief Judicial Magistrate-VI, Samastipur in Complaint Case No. 1440 of 2017, Tr. No. 2040 of 2019 whereby cognizance of the offences under Sections 323 and 379 of the Indian Penal Code has been taken, is hereby quashed.

6. Accordingly, this application stands allowed.

(Satyavrat Verma, J)

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