

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60007 of 2022

Arising Out of PS. Case No.-336 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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DR. VIKASH JHA @ VIKAS KUMAR JHA Son of Dr. Sachidanand Jha @
Dr. S.N. Jha Resident of Mohalla - G. M. Road, P.S.- Lalbagh, Dist.-
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Dr. Sawati Sandiliya Wife of Dr. Vikash Jha Daughter of Dr. Bijendra Mishra, Resident of Mohalla - Saifullaganj, Rajkumar Ganj, P.S.- Town, Dist.- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Ranjeet Patel
For the State	:	Mr. Nirmala Kumari, APP
For the O.P. No. 2	:	Mr. Rana Vikram Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 27-06-2023 This application has been filed for quashing the order dated 19.07.2022 passed by the learned C.J.M. Darbhanga in C.R. No. 336 of 2022 by which the learned Magistrate took the cognizance for the offences under Sections 498(A), 312, 323, 377, 504, 506, 34 of the Indian Penal Code and Section 4 of D.P. Act.

As per the prosecution case, the marriage of the complainant was solemnized with Vikas Kumar on 8th of December, 2021 and after some days the husband namely Vikas



Kumar and his family members started putting pressure on complainant for transfer of her father's house. On 1st of February, 2022, the complainant along with her husband went to Pune where they both reside together and the complainant came to know that she is pregnant and on 19.02.2022, she along with her husband went to Mumbai and stayed in the house of her *Nanad* where the husband and her *nanad* assaulted her.

Heard Mr. Ramakant Sharma, learned Sr. counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no. 2 Mr. Rana Vikram Singh.

It has been contended by the learned senior counsel for the petitioner that the complaint is a detailed complaint of five pages and the allegations seem unbelievable and this dispute has occurred because of some property dispute for a flat at Basant Kunj.

Learned counsel for the opposite party no. 2 has taken this Court to the Medical Report and has submitted that the petitioner had abused, assaulted and tortured the complainant and therefore, this case has been filed.

He further submits that having been tortured and assaulted brutally, this case was filed by the complainant who is herself a Doctor.



During inquiry, materials have come in support of the allegations including the medical report and considering the same I am not inclined to quash the proceedings initiated against the petitioner who is the husband and has tortured and assaulted the complainant.

Accordingly, this application is dismissed.

The Court below is directed to expedite the trial of the petitioner.

(Sandeep Kumar, J)

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