

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26191 of 2023

Arising Out of PS. Case No.-2083 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. ARCHANA KUMARI Wife of Suraj Rai, Daughter of Devendra Kishore Singh R/V- Bedaun, P.S- Kuchaikote, Dist- Gopalganj, Bihar and currently residing at Flat No. 403, Kewal Residency, Yarpur, PS- Gardanibadh, Patna ,Bihar
 2. Raju Kumar Singh Son of Devendra Kishore Singh R/V- Bedaun, P.S- Kuchaikote, Dist- Gopalganj, Bihar and currently residing at Flat No. 403, Kewal Residency, Yarpur, PS- Gardanibadh, Patna ,Bihar
 3. Indu Singh @ Indu Devi Wife of Devendra Kishore Singh R/V- Bedaun, P.S- Kuchaikote, Dist- Gopalganj, Bihar and currently residing at Flat No. 403, Kewal Residency, Yarpur, PS- Gardanibadh, Patna ,Bihar
 4. Devendra Kishore Singh Son of Late Ramagya Singh R/V- Bedaun, P.S- Kuchaikote, Dist- Gopalganj, Bihar and currently residing at Flat No. 403, Kewal Residency, Yarpur, PS- Gardanibadh, Patna ,Bihar
 5. Meenakshi Singh Wife of Raju Kumar Singh R/V- Bedaun, P.S- Kuchaikote, Dist- Gopalganj, Bihar and currently residing at Flat No. 403, Kewal Residency, Yarpur, PS- Gardanibadh, Patna ,Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Suraj Rai Son of Sanjay Kumar singh R/O Mashan Thana, PS- Jadopur, Dist- Gopalganj, Presently residing at Mohalla-Islamia, Ward No. 12, Chuna Gali, PS- Gopalganj Town, Dist- Gopalganj.Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mayank Mohan Mr. Prashant Kumar, Advocates
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mrs. Misa Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 15-07-2024 Heard Mr. Mayank Mohan, learned counsel for the petitioners, learned APP for the State and Mrs. Misa Bharti, learned counsel for the informant.

2. This application has been filed for quashing the



order dated 19.01.2023 by which learned Judicial Magistrate-1, Gopalganj has taken cognizance against the petitioner in Tr. No. 976/2023, arising out of Complaint Case No. 2083/2022 for the offence registered u/ss 406, 379, 34 of the Indian Penal Code.

3. As per prosecution case, the complainant was married to petitioner no. 1 on 04.12.2011 without any dowry. After few days, all the accused persons started pressurizing the complainant for money and residential flat. On his refusal, his wife used to treat him badly and threatened him with dire consequences. The complainant was tortured with an intention that if he commit suicide the property shall go to the petitioners no. 1 and 2. It is further alleged that the accused persons forcibly occupied his flat in October, 2021 and also assaulted him. They also snatched his gold chain worth Rs. 60,000/- and gold ring worth Rs. 25,000/-.

4. An affidavit has been filed by the opposite party no. 2 that a case arises out of a matrimonial dispute and the parties have settled the dispute.

5. In view of the above, this application is allowed.

6. The order dated 19.01.2023 by which learned Judicial Magistrate-1, Gopalganj has taken cognizance against the petitioners in Tr. No. 976/2023, arising out of Complaint



Case No. 2083/2022 is hereby quashed with respect to the
petitioners.

(Sandeep Kumar, J)

Ranjeet/-

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