

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54750 of 2018

Arising Out of PS. Case No.-229 Year-2013 Thana- KISHANGANJ District- Kishanganj

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1. Dayanand Singh Son of Late Bachcha Singh
 2. Kiran Singh Wife of Dayanand Singh Both are resident of Village - Linepara, Police Station - Kishanganj, District - Kishanganj.
- Petitioner/s

Versus

1. The State of Bihar.
 2. Indradev Singh Son of Ram Lakhan Singh Resident of Village - Murli Chandwa, Police Station - Udakishunganj, District - Madhepura.
- Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate Mr. Sarvottam Kumar, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 14-08-2024 The petitioners are the father-in-law and mother-in-law respectively of the daughter of the opposite party no.2.

2. Upon a charge sheet under Section 498A/34 of the I.P.C. in connection with G.R. Case No.885 of 2013 (arising out of Kishanganj P.S. Case No.229 of 2013), the learned S.D.J.M., Kishanganj took cognizance of offence against the petitioners vide order dated 05.05.2015.

3. Challenging the said order, the petitioners have approached this Court with a prayer for quashment.

4. Having heard the learned counsel for the petitioners and learned A.P.P. for the State and on perusal of the record, it is found that the petitioners stated in paragraph No.15 of the



petition that their daughter-in-law and son have been residing peacefully in Jaipur in the State of Rajasthan and the present petitioners do not have any concern about the matrimonial life of their son and daughter-in-law.

5. I have also perused the complaint submitted by the opposite party No.2. Allegation against the petitioners is absolutely vague and omnibus, therefore, no cognizance can be taken on the basis of the materials in the charge sheet as has been done by the learned S.D.J.M. vide order dated 05.05.2015

6. Under such circumstances, the impugned order dated 05.05.2015 passed by the learned S.D.J.M., Kishanganj is set aside. The criminal proceeding being G.R. Case No.885 of 2013 (arising out of Kishanganj P.S. Case No.229 of 2013) be quashed as against the present petitioners.

7. Accordingly, the instant Cr. Misc. Application is, thus, disposed of.

(Bibek Chaudhuri, J)

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