

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25567 of 2021

Arising Out of PS. Case No.-46 Year-2019 Thana- VAISALI COMPLAINT CASE District-
Vaishali

-
1. Anil Kumar @ Anil Singh son of Late Chandrashekhar Singh Resident of village- Jagodih, P.S- Sarai, Dist- Vaishali at Hajipur
 2. Snehlata Devi wife of Anil Kumar @ Anil singh Resident of village- Jagodih, P.S- Sarai, Dist- Vaishali at Hajipur
 3. Adhip Kumar singh @ Chunnu Singh son of Late Chandrashekhar Singh Resident of village- Jagodih, P.S- Sarai, Dist- Vaishali at Hajipur
 4. Nutan Devi @ Guriya wife of Adhip Kumar Singh @ Chunnu Singh Resident of village- Jagodih, P.S- Sarai, Dist- Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi @ Rani Devi wife of Late Abhijeet Kumar Resident of village- Jagodih, P.S- Sarai, Dist- Vaishali at Hajipur at present D/O Late Bijay Thakur, Resident of village- Mani Bhakurhar P.S- Sarai Dist- Vaishali At Hajipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv
	:	Mr. Lakshmi Kant Sharma, Adv
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, APP
For the O.P. No. 2	:	Mr. Harish Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT

Date : 27-02-2025

Heard Mr. Ramakant Sharma, learned senior
counsel appearing on behalf of the petitioner and Mr. Harish
Kumar, learned counsel for O.P. No. 2.

2. Petitioner No. 1 Anil Kumar @ Anil Singh is



physically present before this Court.

3. It was not disputed by Petitioner No. 1 that O.P. No. 2 was the only wife of his deceased son namely Abhijeet Kumar, who was working as Loco Pilot with Indian Railways at the time of his death in Brajrajnagar, Bilaspur Division, Chhattisgarh. Petitioner No. 1 further made statement that he has no objection if O.P. No. 2 get compensatory job with Indian Railways on compassionate basis due to death of his son namely Abhijeet Kumar or any financial benefit arising out of his said service.

4. In view of aforesaid submission Mr. Harish Kumar, learned counsel for O.P. No. 2 did not object the present quashing petition.

5. Upon perusal of record, it appears that present quashing petition has been preferred to quash the order dated 09.04.2019 in Complaint Case No. 46 C of 2019 arising out of Trial No. 2301 of 2020 (Puja Devi Vs. Abhijeet Kumar and others) passed by learned Judicial Magistrate, 1st Class Vaishali at Hajipur for the offences punishable under Sections 323, 341, 343, 324, 494 and 498A/34 of the Indian Penal



Code and Section 4 of the Dowry Prohibition Act.

6. It appears that all petitioners are in-laws and facing *prima-facie* general and omnibus allegation *qua* cruelty as alleged by O.P. No. 2.

7. It is an admitted position that the husband of O.P. No. 2 was working with Indian Railways and as per Petitioner No. 1 Anil Kumar @ Anil Singh/father, he died in the year 2020 (27.08.2020) out of his illness. Now, in view of statement as made by Petitioner No. 1/father-in-law of O.P. No. 2 before this Court, O.P. No. 2 appears satisfied having no grievance to quash the present cognizance order.

8. In view of aforesaid factual discussions and in view of aforesaid statement as made by Petitioner No. 1 before this Court, out of which O.P. No. 2 appears satisfied, impugned order of cognizance dated 09.04.2019, with all its consequential proceedings, *qua*, all above named petitioners arising thereof as passed in Complaint Case No. 46 C of 2019 (Trial No. 2301 of 2020), pending before learned Judicial Magistrate, 1st Class, Vaishali at Hajipur is hereby quashed and set aside.



9. Hence, this application stands allowed.

10. TCR (Trial Court Records), if any, be returned to
the learned Trial Court alongwith the copy of this order.

S.Tripathi/-

(Chandra Shekhar Jha, J.)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2025
Transmission Date	27.02.2025

