

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.412 of 2022

Arising Out of PS. Case No.-194 Year-2017 Thana- MAHILA P.S. District- Nalanda

1. KRISHNA SHARMA @ KRISHNA KUMAR Son of Shiv Narayan Sharma Resident of Village - Beldha, P.O.- Mosma, P.S.- Warsaliganj, Distt.- Nawada, PIN- 805130
2. Shiv Narayan Sharma @ Shiv Narayan Thakur Son of not Mention Resident of Village - Beldha, P.O.- Mosma, P.S.- Warsaliganj, Distt.- Nawada, PIN- 805130
3. Sushila Devi not mention Resident of Village - Beldha, P.O.- Mosma, P.S.- Warsaliganj, Distt.- Nawada, PIN- 805130

... .. Petitioners

Versus

1. The State of Bihar
2. The Superintendent of Police, Nalanda, Biharsarif. Bihar
3. The Officer in charge Mahila P.S., Biharsarif, Nalanda. Bihar
4. Binita Devi W/o Krishna Sharma @ Krishna Kumar, D/o Dilip Sharma At present D/o Dilip Sharma, Resident of Village - Adam Pur, P.S.- Giriyak, Distt.- Nalanda.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. N.H. Khan, S.C.-1
For the Opp. Party no.2	:	Ms. Manisha Prakash, Advocate
		Mr. Dugesh Nandan, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 22-07-2025 Heard learned counsel for the petitioners and learned counsel for the State.

2. This application has been filed for quashing the F.I.R. vide Mahila P.S. Case No.194 of 2017 registered under sections 498-A, 323, 341, 504 and 34 of Indian Penal Code and under section 3/4 of the Dowry Prohibition Act instituted by the opposite party no.4.



3. As per the F.I.R., the marriage of the opposite party no.2 was solemnized with the petitioner no.1. After the marriage, the petitioners used to demand dowry from the opposite party no.2. On account of non-fulfillment of said demand, the accused persons used to assault the opposite party no.2 and they also tried to kill her, ultimately, the opposite party no.2 left her matrimonial home and started living in her parental house.

4. Learned counsel for the petitioners submits that the present F.I.R. has been filed with identical allegations, by the same informant, against the same set of accused, for which she had already filed a case in connection with Warsaliganj P.S. Case no.165 of 2016.

5. With consent of both the parties, this case has been referred to the mediation centre for negotiated settlement vide order dated 21.04.2025 but, the mediation has failed.

6. It has been submitted by the learned counsel for the State that in the present case the charge-sheet has been submitted against the petitioner no.1 and so far as the petitioner nos. 2 and 3 are concerned, final form has been submitted and they have not been sent up for trial.



7. As the charge-sheet has been submitted in this case, the opposite party no.4 may take appropriate steps in accordance with law.

8. Since the impugned F.I.R. is of the year 2017, the S.D.J.M., Nalanda, is directed to proceed with the trial and conclude the same at the earliest, preferably, within one year from the date of receipt/production of a copy of this case. The S.D.J.M. Nawada, will also proceed with the trial of Warsaliganj P.S. Case No.165 of 2016 and conclude the same within the aforesaid period of one year as the F.I.R. is of the year 2016.

9. With the aforesaid observations and directions, this application is dismissed. The interim order dated 21.04.2025 is hereby vacated.

10. Let a copy of this order be communicated to the Principal District and Sessions Judge, Nalanda and the Principal District and Sessions Judge, Nawada forthwith through FAX for its compliance.

(Sandeep Kumar, J)

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