

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25821 of 2016

Arising Out of PS. Case No.-516 Year-2011 Thana- COMPLAINT CASE District- Lakhisarai

1. Singheshwar Sao S/o late Ganauri Sao
2. Siya Devi W/o Singheshwar Sao
Both Resident of Mohalla- Kajichak, ward No. 9 , PS Barh, Distt Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sanju Devi W/o Ranjeet Prasad Verma, D/o - Bhuneshwar Sao, Resident of
Village- Aure, PS Ramgarh Chauk, Distt Lakhisarai,.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

For the State : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 30-10-2025

No one has appeared on behalf of the parties,
however, Mr. Ajit Kumar, learned APP is present.

2. The record reveals that the notices have been
validly served upon O.P. No.2,

3. The present application has been filed for quashing
of order dated 05.04.2012 passed in Complaint Case
No.516C/2011 by the learned SDJM, Lakhisarai, whereby the
cognizance has been taken under Sections 498(A), 494 and 323
of IPC.

4. A complaint case bearing No.516C/2011 was filed
by the Complainant (O.P.No.2) as a result of strained



matrimonial relationship between the parties. Petitioners are relatives of the husband of O.P.No.2, namely, Ranjeet Prasad Verma.

5. In paragraph no.7 of the application, it has been informed that the petitioner no.1 is father-in-law of O.P.No.2 and is aged about 70 years and petitioner no.2 is the mother-in-law of O.P. No.2 is aged about 65 years. The complaint petition has been filed after 24 years of the marriage.

6. It is commonly seen in the society that the entire family members, as well as, relatives of the husband are made accused along with the husband to face criminal prosecution in cases arising out of matrimonial dispute between the husband and wife.

7. The Apex Court in the case of ***Mange Ram Vs. State of Madhya Pradesh & Another (Special Leave Petition (Criminal) No.10817 of 2024)***, in ***Paragraph Nos. 25 and 31*** has held as under:-

“25. This Court, in Dara Lakshmi Narayana vs. State of Telangana, (2025) 3 SCC 735, has made it clear that family members of the husband ought not to be unnecessarily roped into criminal proceedings arising out of matrimonial discord. The Court observed that it has become a recurring tendency to implicate every member of the husband’s family, irrespective of their role or actual involvement, merely because a dispute has arisen between the spouses. It was further held that where the allegations are bereft of specific particulars, and particularly where the relatives sought to be prosecuted are residing separately or have had no connection with the matrimonial home, allowing the prosecution to proceed would amount to an abuse of the process of law. The Court noted



that criminal law is not to be deployed as an instrument of harassment, and that judicial scrutiny must be exercised to guard against such misuse.

31. We also refer to Gian Singh vs. State of Punjab, (2012) 10 SCC 303 wherein this Court observed that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled, although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored, securing the ends of justice being the ultimate guiding factor. In this regard, a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute, where the wrong is basically to the victim but the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable. The High Court may, within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.”

8. Considering the entirety of the matters, the present case arises out of matrimonial dispute relating to demand of dowry and for non-fulfilment, subjecting the O.P.No.2 to cruelty by her husband and the family members, which can be settled amicably. Law in this regard is well settled by the Apex Court in the case of ***Gian Singh Vs. State of Punjab & Anr.*** reported in ***(2010) SCC Online SC 1322*** and similar observation has been made in the case of ***Navneesh Aggarwal & Ors. v. State of Haryana & Anr.*** reported in ***2025 INSC 963***.

9. The allegation against the petitioners no. 1 and 2, who are father-in-law and mother-in-law respectively of Opposite Party No. 2, is general and omnibus, I find that no



case under Section 498A of IPC is made out against petitioners no. 1 and 2. Accordingly, order taking cognizance dated 05.04.2012 in connection with Complaint Case No.516C of 2011 along with entire proceeding is hereby **set aside and quashed** in respect of petitioners no.1 and 2.

10. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.11.2025
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