

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28047 of 2018

Arising Out of PS. Case No.-332 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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1. Reebha Sinha and Ors W/o Sashi Bhushan Sinha, Resident of Haidarchak, P.S.- Islampur, District- Nalanda.
 2. Asha Sinha @ Kumari ASha Sinha, W/o Kumar Pankaj
 3. Rekha Devi, W/o Late Kedar Prasad Singh
 4. Kumar Pankaj, S/o Late Kedar Prasad Singh, All are permanent Resident of Village- Mai, P.S. Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ranjana Rani, W/o Neeraj Kumar, D/o Ravindra Prasad, permanent Resident of Village- Mai, P.S. Hilsa, District- Nalanda, At present Resident of Mohalla- Badi Pahadi, east of Ravishankar Cold Storage, P.S.- Laheri, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Sinha
For the Opposite Party/s : Mr.Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 08-07-2025 Heard the learned counsel for the petitioners and the
learned counsel for the State.

2. This application has been filed for quashing of the impugned order dated 21.11.2017 passed in Complaint Case No. 332(C) of 2017 by the ACJM Bihar Sharif, Nalanda by which cognizance was taken for the offences punishable under Sections 498A/34 of the Indian Penal Code against the petitioners.

3. As per the prosecution case, the petitioners are



accused of torturing the complainant for demand of dowry. It is alleged that due to nonfulfillment of demand of dowry, all the accused persons assaulted the complainant and ousted her from matrimonial home after snatching all her belongings.

4. At the very outset, learned counsel for the petitioners seeks permission to withdraw the application filed on behalf of the petitioner no. 3 with liberty to the petitioner to raise all the grounds at the stage of framing of charge.

5. Permission is accorded.

6. Accordingly, the application filed on behalf of the petitioner no. 3 is dismissed as withdrawn with the aforesaid liberty to the petitioner no. 3.

7. So far as petitioner nos. 1, 2 and 4 are concerned, they are Married Nanad, Gotni and Bhaisur of the complainant. There are general and omnibus allegations against these petitioners. These petitioners have falsely been implicated in this case.

8. Learned APP for the State has opposed the prayer of the petitioner.

9. The Hon'ble Supreme Court in the case of *Preeti Gupta & Anr. Vs. State of Jharkhand & Anr* reported in (2010) 7 SCC 667, and in the case of *Kahkashan Kausar alias Sonam*



Vs. State of Bihar reported in *(2022) 6 SCC 599 and* in the case of *Achin Gupta Vs. State of Haryana & Anr* reported in *2024 SCC Online SC 759* has deprecated the practice of falsely implicating the relatives of the husband in a matrimonial dispute.

10. Considering the fact that petitioner no. 1, petitioner no. 2, and petitioner no. 4 are members of the family and are not directly involved in the demand of dowry, this application is partly allowed with respect to them.

11. Accordingly, the impugned order dated 21.11.2017 passed in Complaint Case No. 332(C) of 2017 by the ACJM Bihar Sharif, Nalanda is hereby quashed against the petitioner nos. 1, 2 and 4.

(Sandeep Kumar, J)

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