

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52581 of 2025

Arising Out of PS. Case No.-2410 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Parinita Singh wife of Late Shambhu Prasad Singh village- Chakbasu, Ps-
Mithanpur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushboo singh Daughater of Arun Kumar Singh Village- Rasulpur Patti,
Ps- Bhagawanpur, Dist- Vaishali
3. Anil Kumar @ Pappu Son of Umashankar Prasad Gupta Resident of village-
Malighat, Near Sarswati Mandir, Ps- Mithanpur, dist- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 02-12-2025

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner has preferred the application under
Section 528 of BNSS for quashing the order taking cognizance
dated 01.06.2018 and its consequential order dated 29.10.2024
passed by the learned Sub-Divisional Judicial Magistrate,
Hajipur, Vaishali in Complaint Case No. 2410/2017 by which
the learned Magistrate has taken cognizance of offence against
the petitioner under Sections 498A/34 and 494 of the Indian
Penal Code and Section 4 of the DP Act.

3. Prosecution story, in brief, is that the complainant



was married to Satyam Prakash Singh (son of the petitioner) on 30.05.2013 after his divorce from his first wife namely Nidhi on 21.06.2012. It is further alleged that the complainant's husband put pressure upon her demanding dowry and on refusal by the complainant, her husband, her mother-in-law and other family members assaulted and tortured her due to non-fulfillment of dowry demand. Thereafter, on the basis of the written complaint given by the complainant, the instant case bearing Complaint Case No. 2410/2017 was registered.

4. Learned counsel appearing on behalf of the petitioner submitted that the allegation levelled against the petitioner is false and concocted. He further submitted that petitioner is the *mother-in-law* of the opposite party no.2. Learned counsel further submitted that the allegation levelled against the petitioner is not specific rather general and omnibus. Learned counsel further submitted that marriage is a sacred ceremony but little matrimonial skirmish suddenly erupts into hatred and the parties can be allowed to ponder to reconcile their dispute outside the court. He submitted that the matter be referred for mediation.

5. Learned counsel appearing on behalf of the opposite party no.2 and the learned APP submitted that



opportunity shall be given to the parties to reconcile their dispute amicably.

6. Heard the parties.

7. It is commonly seen in the society that the entire family members, as well as, relatives are made accused along with the husband to face criminal prosecution. The Apex Court has demarcated the manner in which the complaints are entertained by the learned District Court.

8. The law in respect of matrimonial dispute between husband and wife is well settled, at the same time, the Apex Court has held that the family members of husband should not be roped unnecessarily and face vexatious criminal trial.

9. From perusal of the F.I.R., it is evident that there is no specific allegation against the petitioner, who is the *mother-in-law* of the opposite party no.2. In light of the recent judgment of Apex Court in the case of ***Navneesh Aggarwal & Ors. v. State of Haryana & Anr.*** reported in ***2025 INSC 963***, I find that no case under Sections 498A/34 and 494 of the Indian Penal Code and Section 4 of the DP Act is made out against the petitioner. Accordingly, the entire proceeding and order taking cognizance dated 01.06.2018 and its consequential order dated 29.10.2024 passed by the learned Sub-Divisional Judicial



Magistrate, Hajipur, Vaishali in Complaint Case No. 2410/2017
is hereby **set aside and quashed to the extent it relates to
petitioner.**

10. Accordingly, the present application stands
disposed of.

(Purnendu Singh, J)

Ashishsingh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.12.2025
Transmission Date	09.12.2025

