

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67877 of 2023**

Arising Out of PS. Case No.-614 Year-2020 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Raunak Ranjan @ Murari Kumar Son Of Birendra Prasad Singh Resident Of
Village - Khamahar, P.S. - Muffasil District - Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Kumari Wife Of Murari Kumar @ Raunak Ranjan Resident Of
Village -Khamahar, Satbhaiya Tola, P.S. - Muffasil, District - Begusarai, At
Present Residing At D/O. Nagendra Singh, Village -Pachamba, Tin Kutti
Tola, Ward No.17, P.S. - Muffasil (Singhaul O.P.), District - Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Saket Kumar, Adv.
For the State	:	Mr. Yogendra Kumar Singh, APP
For the Opposite Party/s	:	Mr. Pritish Kumar Lal, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT**

Date : 03-03-2025

Heard learned counsel for the petitioner and

Mr. Pritish Kr. Lal, learned counsel for O.P. No. 2.

2. Present petition for quashing preferred
against impugned order dated 18.03.2021, passed by
learned Sub-Judge VII cum A.C.J.M. VI, Begusarai,
arising out of Complaint Case No. 614(C) of 2020,
whereby learned trial court took cognizance against the
petitioner under section 498A of the Indian Penal Code.

3. While challenging the aforesaid order,



learned counsel for the petitioner relied upon legal report of Hon'ble Supreme Court as available through ***Digambar and Anr. vs. State of Maharashtra and Anr.*** reported in ***2024 SC OnLine SC 3836.***

4. Challenging the cognizance order, learned counsel for the petitioner mainly raised two issues. Firstly, that the cognizance order is hit by provisions of limitation act available under Section 468 sub-section 2 of the Cr.P.C. as occurrence is of 2015 whereby the present complaint was filed in 2020 and secondly, that no specific allegation qua cruelty was raised against this petitioner though complaint petition. Besides aforesaid, it is submitted by learned counsel that the petitioner never married O.P. No. 2.

5. Taking a contrary note, learned counsel for O.P. No. 2 submitted that the learned counsel for the petitioner by way of his submission disputing the core factual aspects of this case that the marriage between the parties never solemnized, which can be ascertained only



by way of trial. It is also submitted that the nature of allegation, whether it is general or omnibus or even the limitations issue cannot be ascertained through quashing petition.

6. Considering aforesaid, as the learned counsel for the petitioner is disputing the core issue *qua* marriage between the parties by denying it which can ascertained only by way of trial.

7. Accordingly, the present quashing petition appears devoid of any merit and as such same stands **dismissed**.

8. Let copy of this order be sent to the learned trial court, without delay.

(Chandra Shekhar Jha, J)

Sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.03.2025
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