

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14287 of 2016

Arising Out of PS. Case No.-13994 Year-2014 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Ugan Paswan
 2. Rajesh Paswan
 3. Rakesh Kumar Paswan
 4. Amaresh Paswan

All sons of Late Rampriti Paswan, resident of Kewata Tola, Piparpati,
P.S.- Dalsingsarai, Dist.- Samastipur.

... .. Petitioner/s

Versus

1. State of Bihar
2. Ram Sumaran Paswan, son of Late Chhathu Paswan, resident of Bihat Tola,
P.S.- Barauni, Dist.- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmesh Kumar Shrivastava, Adv.
For the State	:	Ms. Pushpa Sinha No. 2, APP
For the O.P. No. 2	:	Mr. Girish Chandra Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 16-02-2026 The instant petition has been filed under section 482 of the Code of Criminal Procedure with a prayer to quash the order dated 22.11.2014 passed by the court of learned Judicial Magistrate 1st class, Begusarai, in Complaint Case No. 13994(C) of 2014, taking cognizance of the offences punishable under sections 147, 323, 504 and 379 of the Indian Penal Code (in short, 'IPC') and the petitioners have been summoned for these offences.

2. Heard Mr. Dharmesh Kumar Shrivastava, learned counsel for the petitioners, Ms. Pushpa Sinha No. 2, learned APP for the State and Mr. Girish Chandra Jha, learned counsel



for the O.P. No. 2.

3. Learned counsel appearing for the petitioners submits that the petitioners' sister, Vina Kumari, was married on 27.01.2012 with one Sujeet Kumar, son of the O.P. No. 2 and after few months, dispute arose in between them and thereafter, in respect of the allegations of cruelty and other offences, Dalsingsarai P.S. Case No. 225 of 2014 was lodged by the sister of the petitioners against her father-in-law (O.P. No. 2) and others. After gaining the knowledge of the said police case, the father-in-law (O.P. No. 2) of Vina Kumari, filed Complaint Case No. 13994(C) of 2014 with malicious intention to terrorise the brother and father of Vina Kumari and besides filing the said Complaint Case, the husband of Vina Kumari also filed a divorce case bearing Matrimonial Suit No. 31/2014 against the wife Vina Kumari and now with the help of well-wishers, both the parties have entered into a compromise, pursuant to which the matrimonial suit filed by the husband of Vina Kumari has been decreed and the case filed by Vina Kumari against the O.P. No. 2 has also been compromised and in this regard, compromise petition filed by both the parties is available with him and the same is being produced before this Court and the same may be perused.



4. Learned counsel for the informant (O.P. No. 2) accepts the above-mentioned factum of compromise and the dissolution of marriage between the said Vina Kumari and her husband and also accepts the filing of the compromise petition along with the affidavit.

5. Considering the aforesaid submissions and mainly the good relation having been restored between both the parties and also taking into account that the O.P. No. 2 filed the complaint case after the institution of Dalsingsarai P.S. Case No. 225/2014 by his daughter-in-law Vina Kumari, this Court finds that subjecting the petitioners to trial for the alleged offences, of which cognizance has been taken, would be completely harassment to them and further, the initiation of criminal proceedings against the petitioners by the O.P. No. 2 also appears to be made with malicious intention. Accordingly, the order impugned taking cognizance of the alleged offences is hereby set aside and the subsequent criminal proceedings against the petitioners in the light of the said order is also hereby quashed. In the result, the instant criminal miscellaneous petition stands allowed.

(Shailendra Singh, J)

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