
(2017) 09 PAT CK 0017

PATNA HIGH COURT

Case No: 35062 of 2017

Durga Devi, W/o Late
Satyanarayan

APPELLANT

Vs

The State of Bihar

RESPONDENT

Date of Decision: Sept. 11, 2017

Acts Referred:

- Code of Criminal Procedure, 1973, Section 482 - Saving of inherent powers of High Court
- Indian Penal Code, 1860, Section 498-A -
- Dowry Prohibiti

Citation: (2017) 09 PAT CK 0017

Hon'ble Judges: Ashwani Kumar Singh

Bench: SINGLE BENCH

Advocate: Pawan Kumar Singh, Rajesh Kumar

Final Decision: Dismissed

Judgement

1. This application under Section 482 of the Code of Criminal Procedure (for short "Cr. P.C.") has been filed for quashing of the order dated 12.06.2017 passed by the learned Sub-Divisional Judicial Magistrate, East, Muzaffarpur in connection with Complaint Case No. C-252 of 2017, Tr. No.2595 of 2017 by which finding a prima facie case to be made out under Section 498-A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961, the petitioners have been summoned to face trial.

2. I have heard learned counsel for the petitioners and perused the materials available on record.

3. In the complaint petition, there is specific allegation against the petitioners to have subjected the complainant to cruelty in various ways for non-fulfilment of demand of dowry of Rs.3 lakhs.

4. The allegations made in the complaint have duly been supported by the complainant in her statement made on solemn affirmation and, besides the complainant, certain witnesses examined in course of inquiry, have also supported the allegations made in the complaint.

5. In that view of the matter, I see no illegality in the order impugned. Accordingly, the application being devoid of any merit, is dismissed.