

Jharkhand High Court

Pyara Singh @ Pyara Singh Vir vs Sstate Of Jharkhand & Anr on 13 September, 2011

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No. 362 of 2007

Pyara Singh @ Pyara Singh VirPetitioner

Vs.

1. The State of Jharkhand

2. Harbinder Kaur @ BabanOpposite Parties

CORAM: HON'BLE MR. JUSTICE PRASHANT KUMAR

For the Petitioner: Mr. Indrajit Sinha

For the State: Mr. S.K. Srivastava , APP

5/13.09.2011

: This application has been filed for quashing the order dated 20.9.2004 passed by SDJM, Jamshedpur in C-1 Case No. 710 of 2004 whereby he took cognizance of the offence under section 498A and 406 of the IPC.

It appears that co-accused Santokh Singh had filed an application bearing Cr.M.P. No. 351 of 2005 whereas other co-accused, namely, Dalwinder Singh, Gurnam Kaur, Dalbir Singh, Gurdeep Singh and Baljit Kaur had also filed another application bearing Cr.M.P. No. 256 of 2007 for quashing the same impugned order. It appears that both the aforesaid cases have been allowed vide order dated 2.12.2009 and 01.09.2010 respectively and impugned order had been quashed so far it relate to the petitioners of those cases.

It is submitted that the petitioner is stranger to the complainant's in-laws family. Allegation against him is similar to aforesaid co-accused persons. Accordingly, it is submitted that the impugned order so far it relates to this petitioner, be also quashed.

Learned Additional P.P. after going through the record and orders passed in aforesaid Cr.M.Ps, had not disputed the factual position.

Considering the aforesaid facts and circumstance, this application is allowed and entire proceeding in conneciton with C-1 Case No. 710 of 2004 including the order dated 20.09.2004 passed against this petitioner is hereby quashed.

(Prashant Kumar,J.) Sharda/-