

---

**(2023) 11 JH CK 0034**

**In the Jharkhand High Court**

**Case No :** Criminal Miscellaneous Petition No. 2176 Of 2014

Somya Sengupta @ Soumya Sengupta And Others

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

---

**Date of Decision :** 06-11-2023

**Acts Referred:**

Indian Penal Code, 1860 — Section 498A

**Citation :** (2023) 11 JH CK 0034

**Hon'ble Judges :** Sanjay Kumar Dwivedi, J

**Bench :** Single Bench

**Advocate :** Amit Kumar, Fahad Allam

**Final Decision :** Disposed Of

---

## **Judgement**

Sanjay Kumar Dwivedi, J

1. This petition has been filed for quashing of the entire criminal proceedings including the order taking cognizance dated 01.07.2014 in connection with C.P. No.392/2014, pending in the Court of the learned Judicial Magistrate, 1st Class, Ranchi.

2. The complaint case was filed alleging therein that the complainant (opposite party no.2) got married with petitioner no.1 on 27.04.2013 according to Hindu rites and rituals. For the marriage, the accused persons demanded Rs.7 Lakhs cash, 20 Tola gold and household items of Rs.1 Lakh out of which the complainant's father gave Rs.5 Lakhs cash, 10 Tola gold and household items of Rs.1 Lakh to the accused persons at the time of marriage and promised to pay rest of the amount after some time. On 28.04.2013, the complainant came to her matrimonial home where the accused persons taunted her for not taking the entire amount of dowry and she was told that if her father does not pay the rest amount before 29.04.2013, her husband will not enter into his conjugal life. On 29.04.2013, when the complainant's father came to attend the reception party he was insulted for not bringing the money and the accused no.1 refused to

establish his conjugal relation with his wife till rest of the amount is paid. After one week of marriage, the complainant's father came to bring his daughter, he was told that if he does not pay the rest amount his daughter need not to come back. In July, 2013, the complainant came back to her matrimonial house and her father promised the accused persons that he will pay the rest amount soon. In October, 2013, the complainant's father came to take back the complainant and promised to gift a Maruti Car on Astami, but the accused persons did not contact the complainant or her father on Ashthami and when in December, 2013 she came back to her matrimonial house the accused persons behaved with her in the same manner. Then the complainant again came to her father's house and on 27.01.2014, the accused persons along with two unknown person came to the house of the complainant's father and threatened her and taken signature on two blank papers and on 29.01.2014, they informed the father of the complainant that they had made the complainant sign on the divorce paper.

3. Learned counsel for the petitioners submits that petitioner no.1 is the husband of the complainant and petitioner nos. 2 and 3 are father-in-law and mother-in-law of the complainant respectively. He submits that there are general and omnibus allegations, so far as petitioner nos. 2 and 3 are concerned and in view of that, at least the entire criminal proceedings, so far as father-in-law and mother-in-law are concerned, that may kindly be quashed.

4. Learned counsel for the State submits that it appears that the trial is going on and witnesses are being examined and in view of that, this is not the stage of quashing the entire criminal proceedings.

5. After going through the complaint petition, the Court finds that there are allegations in paragraphs 2 and 5 of the complaint petition against the petitioner nos. 2 and 3, who are father-in-law and mother-in-law of the complainant respectively. The allegation against the petitioner, who is husband of the complainant, is also there.

6. In Section 498-A of the Indian Penal Code cases considering the general and omnibus allegations, many criminal proceedings have been quashed by this Court, however, in the case in hand, the Court finds that there are allegations against the petitioners and trial is also going on. In view of that, no case of interference is made out as there are allegations against the petitioners.

7. At this stage, learned counsel for the petitioners seeks permission to withdraw this petition with liberty to take all the grounds in trial.

8. Accordingly, this petition is permitted to be withdrawn and disposed of with the aforesaid liberty.