

IN THE COURT OF MANISH RANJAN CJJD CUM JMFC, BENIPATTI MADHUBANI.

Complaint Case No. 239/2023

S. No.	Date of order of proceeding	Order with signature of the Court	Office action taken
1.	2.	3.	4..
	01/08/2026	The case record is fixed for hearing on point of issuance of Summon against the accused persons. The complainant filed the instant complaint U/s, 341, 323, 354(B) 379 IPC. against the 04 accused named in complaint petition. 1. The complainant has avowed in the petition that her child was forcefully got married. When she got information and objected, she was beaten by the offenders. 2. Upon perusal, the complainant is directed on continuous dates for hearing for further enquiry. She is absent from past 2 years. 3. In the Court Question, it is clear that no petition is been made to the police and the complainant had directly approached to the court. 4. With regard to procedural compliances, the complainant had not complied the requirements rendered under Paragraph nos.29 to 31 of the decision in the case of Priyanka Srivastava & Anr. vs. State of U.P. & Ors. [2015 AIR SCW 2075] read as under Para 29 “A litigant at his own whom cannot invoke the authority of the Magistrate. A principled and really grieved citizen with clean hands must have free access to invoke the said power. It protects the citizens but when pervert litigations take this route to harass their fellow citizens, efforts are to be made to scuttle and curb the same. 5. The Supreme Court in “Debendra Nath Battacharya v. The State of West Bengal & Anr.” (AIR 1958, CAL 559) held that “<i>if a bare perusal of complaint show that the essential ingredients of offence alleged are absent or, then these constitute sufficient ground to dismiss the complaint U/s 203 Cr.PC</i>” In view of the above facts and circumstances, <u>no prima facie case is</u>	,

		<u>made out</u> and there is no sufficient material to proceed. Thus, the instant case is hereby dismissed in exercise of powers u/s 203 crpc. O/c is hereby directed to consign the record to the record room. Manish Ranjan Civil Judge cum JMFC Benipatti (Madhubani)	
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