

IN THE COURT OF MRS. MEENA KUMARI ,S.D.J.M. BEGUSARAI
Complaint Case No. 1529/2017
KAILASH RAM VS. MOHAN PRASAD AND ORS.

DATE	ORDER PASSED WITH SIGNATURE	ACTION TAKEN BY OFFICE
20.12.2018	Today the case is fixed for order. Perused the case record . The complainant has filed this complaint petition against twelve accused persons. Apart from SA of complainant two witnesses in inquiry has been produced. The complainant in his SA submits that the occurrence took place from 02.01.2017 till now. Mohan Ram , Mukesh ,Rakesh , Manoj , Manju Devi , Raju Ram , Ajay Ram all of these earlier prepared a forged affidavit in the name of her daughter Surabhi Kumari under a conspiracy. On 10.05.2017 his daughter was married with Mukesh Kumar in which he given Rs. Five lacs and fifty one thousand in cash , 10 bhar gold , and utensils. Thereafter when her daughter reached Sasural the accused persons became a party to conspiracy started giving obscene photos on facebook from mobile of Ranjan Kumar and Mukesh Kumar admitted the fact of becoming part of this plan on phone. For this he filed an FIR against Ranjan Kumar bearing p.s. case no. 300/17 in which he produced forged affidavit which has been rejected by the court. Mohan has filed a complaint case in the court of Chhapra in which he given the name of Ranjan as husband of her daughter but her daughter is wife of Mukesh. Mohan has given the copy of this complaint to Ranjan Ram , on the basis of which Ranjan Ram was granted bail by the Court. All the accused persons ousted her daughter from her SASURAL on 08.08.2017 under a conspiracy. Inquiry witness no. 1 Om Prakash deposed before the court that the occurrence is of 01.02.17 at about 07.00 p.m. Kailash Ram married her daughter on 10.05.17 with Mukesh Ram, son of Mohan . He gave Rs. Five lacs fifty one thousand and gold	

jewelery at the time of marriage. Accused persons started torturing for demand of a motorcycle and Rs. One lac. The complainant could not give the same . Accused persons ousted the girl . Accused persons prepared obscene photos of the girl and posted the same on facebook and charged that girl was already married with Ranjan Ram. Father of Ranjan and Mohan get together for breaking the marriage of girl. In court question he answers that there are two incident in this case , first is related to torture by husband and father in law of Surabhi Kumari and second is related to preparation of false affidavit and posting false pictures on facebook of Surabhi by Ranjan.

Inquiry witness no.2 is Mithu Ram . He deposes before the court that incident took place from 01.02.17 till now. The marriage of Surabhi Kumari and Mukesh Kumar was fixed. Five lacs rupees and a motorcycle was demanded. Motorcycle and Rs. Five lacs were given. Thereafter again they started demanding rupees. Marriage was done. For not giving rs. One lac they loaded photos on whatsapp and ousted the girl from sasural.

Apart from this complainant has filed photocopy of affidavit which has been claimed to be false and prepared by the accused persons under a conspiracy. He has also filed the copy of bail rejection order by Ld. CJM , copy of complaint petition filed by the opposite party, copy of FIR filed against Ranjan Kumar by complainant Muffassil P.S. case no. 300/2017.

Perused the complaint petition, SA of complainant, evidence of inquiry witnesses and documents filed by the complainant.

The case of complainant is that all the accused persons under a conspiracy prepared a false affidavit of her daughter with Ranjan Kumar and ousted her from her sasural. However the reason of conspiracy has not been mentioned as to why they want to oust her daughter from sasural. In the complaint petition the reason has been mentioned as

demand of Rs. One lac and motorcycle in dowry however the same has not been mentioned anywhere by the complainant in his SA.

The evidence of inquiry witness no. 1 does not support the SA of complainant as he has not mentioned in his evidence about the preparation of false affidavit but only talks about demand of dowry and posting of obscene pictures on facebook. The fact of preparation of false which is the main occurrence of this case has been told by this witness only when asked by the court.

Inquiry witness no.2 has also not mentioned anywhere in his evidence about the preparation of false document but deposed that the girl was ousted from her sasural for demand of dowry . He further talks about posting of pictures on whatsapp. Hence this witness has also not supported the version of complainant.

Further from order sheet it has also been come to the knowledge of this court that the complainant has also filed a complaint case against opposite parties for torture and demand of dowry in which cognizance has been taken by the court . Hence here also on same fact case for demand of dowry and torture can not run. Further for the incident of posting false pictures on facebook the complainant has already filed a police case hence again for this fact case can not run. Hence the only incident for which the this case can run is preparation of false document by the opposite parties by conspiracy however this version of complainant is not supported by inquiry witnesses. Further the motive of offence that is as to why the accused persons prepared false document under a conspiracy and ousted the daughter of complainant by doing such conspiracy has not been made clear by the complainant in his SA.

Hence going through all the materials available on record it appears that there is no ground to proceed with the case. Hence this complaint petition is dismissed under section 203 of Cr.P.C.

	The o/c is directed to submit the record in record room after appropriate time.	
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Typed and corrected by me

Meena kumari
S.D.J.M. Begusarai
20.12.2018