

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1030 of 2021

1. Avisek Kumar 2. Punam Jha 3. Hirday Narayan Jha	-Versus-	... Petitioners
1. State of Jharkhand 2. Bhawna Jha		... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners	: Mr. Gautam Jha, Advocate Mr. Suraj Singh, Advocate
For the Opposite Party-State	: Mr. Ravi Prakash, Spl.P.P.

05/20.09.2021. This criminal miscellaneous petition has been taken through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic.

Learned counsel for the petitioner submits that petitioner no.3 has filed informatory petition on 30.11.2014 as a precautionary step because opposite party no.2 has threatened to harm herself. On 01.05.2015, petitioner no.3 filed second informatory petition in the court of learned Chief Judicial Magistrate, Saraikela. Petitioner no.1 filed the petition under Section 12(1)(c) read with Section 13(1)(ia) of the Hindu Marriage Act, 1956 on 09.06.2015. The summon was issued in that divorce case, which was numbered as MTS No.252 of 2015. After issuance of summon, in a retaliatory steps and as a counter-blast, opposite party no.2 has filed Complaint Case No.1895 of 2015 against the petitioners. The said divorce case has attained finality and decree has been passed declaring the marriage as nullity. He further submits that opposite party no.2 has remarried with another person and still the petitioners are facing criminal case under Sections 498A, 406, 323, 120B and 34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.

Let notice be issued upon opposite party no.2 by ordinary process as well as registered post with A/D, for which, requisites etc. must be filed within two weeks.

There shall be stay of further proceeding in connection with Complaint Case No.1895 of 2015, pending in the court of learned Judicial Magistrate, First Class, Ranchi, till the next date.

Post this matter on 06.01.2022.

(Sanjay Kumar Dwivedi, J.)

Ajay/