

Basanti Devi and anr Vs. the State of Jharkhand

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Court : Jharkhand

Decided On : Apr-15-2013

Appellant : Basanti Devi and anr

Respondent : The State of Jharkhand

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 48 of 2013 with A.B.A. No. 54 of 2013. ----- 1. Basanti Devi 2. Santosh Kumar @ Anand Petitioners in ABA 48/13.

3. Ram Badan Ram 4. Indrajeet Kumar @ Guddu Petitioners in ABA 54/13. Versus 1.The State of Jharkhand 2. Ganesh Das Opposite Parties. Coram : The Hon'ble Mr. Justice Prashant Kumar. ----- For the Petitioners : Sri. Indrajit Sinha For the Opposite Parties : Sri. V.K. Tiwari, A.P.P. Sri Sanjeev Thakur ----- 03/15.04.2013. Both the applications arose from same First Information Report, thus are heard together and disposed of by this order. Sri Indrajit Sinha, learned counsel appearing on behalf of the petitioners in both cases, Sri V.K. Tiwari, Addl. P.P. for the State and Sri Sanjeev Thakur, learned counsel appearing for opposite party no.2. It is alleged that the petitioners took Rs.3,60,000/- at the time of engagement of the marriage and thereafter, they demanded more money from the complainant. When complainant refused to give aforesaid amount, they refused to marry with the complainant's daughter. However, a counter affidavit filed on behalf of State, wherein at paragraph no.9, it is stated that the complainant's daughter refused to leave her job and she wants to reside with her parents even after the

marriage, because of that petitioners refused to solemnised marriage. It is submitted on behalf of opposite party no. 2 that police enquired the matter and submitted final form. Under the said circumstances counter affidavit can not be looked into. However, when the counsel for the complainant was asked to produce any paper showing that petitioners took Rs.3,60,000/- from him he was not able to produce it. Considering the aforesaid facts and circumstances, I allow this application and direct the petitioners, named above, to surrender in the court below by 26.04.2013 . If petitioners surrender by that time, the court below is directed to enlarge the petitioners, named above, on

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