

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
Cr.M.P. No.2140 of 2015

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Avinash Kumar Tiwari, son of Mukesh Tiwari, R/o RZ-1, Block-N  
opposite Ashirwad Vatika Gopal Nagar extension, Main Dhansa Road,  
Najafgarh, P.O. Najafgarh P.S. Baba Haridas Nagar, District-  
Southwest Delhi, Pin-110043 ... ..

Petitioner

Versus

1.The State of Jharkhand  
2.Srimati Mala Kumari, W/o Avinash Kumar Tiwari and D/o late  
Kashinath Dubey, R/o Quarter No.30-D, Line No.26, block-A,  
Tuiladumri, P.O. and P.S. Golmuri Town-Jamshedpur, District East  
Singhbhum ... .. Opposite Party

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**CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**

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For the Petitioner	: Mr. A.K. Mehta, Advocate
For the State	: A.P.P.
For the O.P. No.2	: None

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02/18.01.2017      Learned counsel for the petitioner has submitted that earlier a dispute had occurred between opposite party no.2 and her husband which led to institution of suit for dissolution of marriage at Dwarka, New Delhi. Learned counsel submits that transfer petitioner was filed by the opposite party no.2 before Hon'ble Supreme Court in which a compromise was entered into between the parties pursuant to which complaint case instituted by the opposite party no.2 was withdrawn as well as the application preferred by the opposite party no.2 for payment of maintenance under Section 127 of the Cr.P.C. Learned counsel submits that thereafter opposite party no.2 was living with her husband. Subsequently on account of some friction, opposite party started living at Jamshedpur and filed a case under Section 498-A of the Indian Penal Code vide Golmuri P.S. Case No.199 of 2015. Learned counsel further submits that husband of the opposite party no.2 has also filed a case for dissolution of marriage before the competent court at Dwarka, New Delhi. It has been submitted that the petitioner happens to be the husband of the opposite party no.2. The allegations

made in the first information report is a virtual replica of the allegations made in the earlier case apart from some minor addition.

Learned counsel for the petitioner has argued at length but no one appears on behalf of the opposite party no.2.

List this case under the heading 'For Admission' after three weeks along with Cr.M.P. No.2029 of 2015.

In the meantime, no coercive step shall be taken against the petitioner in connection with Golmuri P.S. Case No.199 of 2015, corresponding to G.R. No.2484 of 2015 pending in the Court of learned Chief Judicial Magistrate, Jamshedpur.

(Rongon Mukhopadhyay, J)

*Rohit/-*