

GAHC010217882022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./527/2022

TRAILOKYA KR. DAS
S/O TARINI KR. DAS
R/O GARAL DA-MIRZAPUR
P.S. AZARA, GUWAHATI-17, DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE PP, ASSAM

2:CHAYA RANI DAS
D/O BIREN DAS
R/O PUB MAZIRGAON
P.S. AZARA
GUWAHATI-17
DIST. KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. B K DAS, MS. P DAS

Advocate for the Respondent : PP, ASSAM, MR. B. DAS, MRS H KALITA (r-2), MS. S R DEVI (r-2), MR. R K MALAKAR (r-2)

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

O R D E R

04.10.2024

Heard Ms. P. Das, learned counsel appearing for the petitioner, Mr. M.P. Goswami, learned Additional Public Prosecutor, Assam appearing for the respondent No.1 and Mr. B. Das, learned counsel appearing for the

respondent No.2.

2. Pursuant to the order of the Court dated 07.08.2024, the petitioner and the respondent No.2 appeared before the Mediator concerned.

3. From the report of the concerned Mediator dated 19.09.2024, it is seen that both the parties i.e., the petitioner and the respondent no.2 have settled their disputes amicably by filling a joint written agreement signed on 19.09.2024 in the following terms and conditions:-

(1) It is agreed upon between the parties that respondent No.2 is the legally married wife of the petitioner Trailokya Kr. Das but a decree of divorce order was passed by the Hon'ble Principal Judge, Family Court No.1 at Kamrup (M) on 22.08.2022 and accordingly they lived separately.

(2) It is agreed upon between the parties that both the parties have mutually decided to settle their dispute/claim amicably and the petitioner agreed to pay Rs.4,80,000/- (Rupees four lacs eighty thousand) only as a whole (one time settlement) and petitioner had already deposited an amount of Rs.4,80,000/- (Rupees four lacs eighty thousand) vide cheque No.145871 and respondent No.2 Chaya Rani Das accepted that cheque amounting to Rs.4,80,000/- (Rupees four lacs eighty thousand) at this Mediation Centre on 10.09.2024.

(3) It is agreed that an amount of Rs.4,80,000/- (Rupees four lacs eighty thousand) already deposited in the name of Chaya Rani Das at Canara Bank, Dharapur Branch. It is to be mentioned herein that she will not claim any other amount from the petitioner in future and also she is not willing to proceed the further case against Troilokya Kr. Das which is pending in the Family Court, Guwahati.

(4) It is agreed upon between the parties that they have settled their dispute without any force, fear and coercion.

4. In view of the above and in aforesaid terms and conditions between

the petitioner and the respondent No.2, the impugned judgment dated 19.09.2022 passed by learned Principal Judge, Family Court-I, Kamrup, Guwahati in F.C(Crl) Case No.232/2017 under Section 125 Cr.P.C is set aside and quashed.

5. Since both the petitioner and the respondent No.2 have amicably settled their disputes by way of mediation, noted above, they shall comply with the terms and conditions specified in their said agreement and terms and conditions dated 19.09.2024.

6. With the above observations and directions, this criminal revision petition is disposed of and decreed accordingly.

JUDGE

Comparing Assistant