

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45613 of 2012

- =====
1. Sudhir Kumar Gupta @ Bunty, Son of Kanchan Prasad Gupta.
 2. Kanchan Prasad Gupta @ Kanchand Pd. Gupta, Son of Devendra Gupta.
 3. Sushila Devi, Wife of Kanchan Prasad Gupta.
 4. Pintu Kumar, Son of Kanchand Prasad Gupta.
 5. Pankaj Kumar @ Pankaj Kumar Gupta, Son of Kanchan Prasad Gupta.
- All Residents of Village Main Road, Kali Asthan, Hilsa, P.S. Hilsa, District Nalanda.

.... Petitioners

Versus

1. The State of Bihar.
2. Nitu Kumari @ Tannu, Wife of Sudhir Kumar Gupta @ Bunty, Resident of Village Main Road, Kali Asthan, Hilsa, P.S. Hilsa, Post-Hilsa, District Nalanda, at present D/O Prem Nath Gupta, Resident of Badi Pahari, Bihar Sharif, P.S. Lehri, District Nalanda.

.... Opposite Parties

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Appearance :

For the Petitioners : Shri Ghulam Rabbani, Advocate
For the State : Shri Ashok Kumar-I, APP

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 21-05-2015

Heard.

After considering the facts of the case, the Court does not find any reason to interfere with the summoning order dated 21.09.2012, passed by the learned S.D.J.M., Nalanda at Bihar Sharif in Complaint Case No. 449 (c) of 2012.

However, it was contended by the learned counsel for the petitioners that the wife has joined the husband and both of them were leading a peaceful amicable married life.

Let the learned S.D.J.M., Nalanda at Bihar Sharif draw up an order in Complaint Case No. 449 (c) of 2012 noting

down the above observation of the learned counsel for the petitioners and direct the counsel of the complainant to produce the complainant before him on a date to be fixed by him. The court below, i.e., the learned S.D.J.M., Nalanda at Bihar Sharif shall verify the above contention of the counsel for the petitioners and if he found that the contention is true then he shall ask the parties to file a compromise and dispose of the case on that basis only, without recording any evidence.

The petition stands disposed of with the above directions.

(Dharnidhar Jha, J.)

Sanjay/-

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