

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31953 of 2012

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1. Gopinath Gupta Son Of Late Thakur Prasad Gupta Resident Of Konark Residency, Flat No. 201, Bahadurpur Gumti Road, Road No. 12, Rajendra Nagar, P.S Kadam Kuan, District - Patna

2. Tara Gupta Wife Of Shri Gopinath Gupta Resident Of Konark Residency, Flat No. 201, Bahadurpur Gumti Road, Road No. 12, Rajendra Nagar, P.S Kadam Kuan, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar

2. Kamni Devi Wife Of Vikash Kumar, Daughter Of Mahavir Prasad Resident Of Purnai Bazar, P.S. - Maharajganj, District - Siwan

.... Opposite Party/s

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Appearance :

For the Petitioners : Shri Rakesh Kumar Sinha, Advocate.

For the Informant : Shri Mukesh Kant, Advocate.

For the State : Shri Lalan Kumar, APP.

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

8 30-06-2015 An affidavit filed by the petitioners satisfies me that the Courts orders dated 19.05.2015 and 23.06.2015 have been duly complied and the learned Principal Judge, Family Court, Siwan has also passed the decree of the dissolution of the marriage of the parties. Not only that the final settlement amount of Rs. 2,00,000/- has also been paid, thus, bringing the total payment of the agreed settlement amount to Rs. 4,25,000/- by two demand drafts, the details of which appear in the judgment passed by the learned Principal Judge, Family Court, Siwan in Matrimonial (Divorce) Case No.96 of 2015. The petition filed by the wife under Section 125 Cr.P.C. bearing Miscellaneous Case No.05 of 2012 has also

been withdrawn by the wife.

On account of the dispute between the husband and wife, Maharajganj P.S.Case No.12 of 2012 and Complaint Case No.33 of 2012 were filed by the wife against the husband and his family members. They agreed during hearing of the present proceedings to bury the hatchet by seeking the dissolution of their marriage besides withdrawing the petition under Section 125 Cr.P.C . The parties had also agreed that the proceedings through the above noted police and complaint case must also be quashed.

The dispute primarily was matrimonial in nature and now that the parties have decided to part their ways and have decided further not to litigate between them, this Court considering the judgment of the Supreme Court in the case of **(2012) 10 SCC 303 Gian Singh v. State of Punjab and Anr.** quashes the FIR of Maharajganj P.S.Case No.12 of 2012 and also the proceeding initiated by filing the Complaint Petition No.33 of 2012 presently pending before Chief Judicial Magistrate, Siwan or any Judicial Magistrate of Ist Class, Siwan.

The present petition stands disposed of in the above light.

(Dharnidhar Jha, J)

B.Kr./-

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