

Arising Out of PS.Case No. -268 Year- 2013 Thana -BRAHMPURA District- MUZAFFARPUR

.... Petitioner/s

Versus

1. The State of Bihar
2. Shweta Karn, W/o Dharendra Kumar, r/o Karn Neuro Care Centre, Shanichara Sthan, P.S.- Brahmpura, District- Muzaffarpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harsh Singh-Advocate
For the Opposite Party	:	Mr. Dineshwar Mishra-Advocate
		Mr. R. P. Sahay-Advocate
For the State	:	Mr. Nand Kumar (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 02-09-2016 Heard learned counsel for the petitioners as well as learned
counsel for the opposite party no.2 along with learned Additional Public
Prosecutor.

2. It is needless to say that parties are couple. Having differences during course of their marital life, they not only part with rather also indulged in different kind of activities whereupon divorce case as well as present criminal case cropped up. As is evident, petitioners have challenged the order dated 16.04.2016 passed by the S.D.J.M., (East) Muzaffarpur in connection with Trial No. 2146 of 2016 arising out of Brahampura P. S. Case no.268 of 2013 whereby and whereunder prayer for discharge has been rejected. Simultaneously, as is evident, Matrimonial (Divorce) Suit is also

pending bearing No.21 of 2015. Relevant order sheets have been brought up relating to the aforesaid Divorce Case under I.A. No.1773 of 2016 wherefrom it is evident vide order dated 20.08.2016 that talk for compromise begin amongst the couple and in pursuance thereof, as is evident from the order dated 24.08.2016, Bank Draft of Rs.11,60,000/- had already been deposited before the Court.

3. In the aforesaid background, learned respective counsels have stated that compromise petition in the criminal case is also going to be filed. That being so, the learned lower Court will accept the compromise petition, in case so filed, having duly presence of respective parties. In the background of nature of dispute being that of marital one and for that, times without number it has been held that it happens to be individual cause whereupon compromise could be effected upon. Furthermore, the nature of non-compounding offence should not be treated as hindrance during course thereof.

4. With the aforesaid observation, instant petition along with I.A. No.1773 of 2016 is disposed of.

(Aditya Kumar Trivedi, J)

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