

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13149 of 2016**

Arising Out of PS.Case No. -592 Year- 2015 Thana -PATNA COMPLAINT CASE District-  
PATNA

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Ravi Shekhar, son of Sri Ramashraya Singh, resident of D/5 Surya Vihar Colony, Ashiyana Nagar, P.S.-Rajeev Nagar, District-Patna

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Punam Patel daughter of Sri Janardan Prasad, resident of Building No. 18, Road No. 2, Benu Bihar Colony, North Patel Nagar, P.S.-Patliputra, District-Patna

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. J.N. Thakur (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

5      17-11-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 504, 323 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

The petitioner and the complainant are present in the Court.

On the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority vide order dated 22.09.2016. The report of the Mediator at Flag-X dated

11.11.2016 suggests that the mediation failed on the question of quantum of one time settlement amount.

Today, a joint affidavit has been filed with the signature of the petitioner and the complainant to the effect that both sides agree to part ways on payment of one time settlement amount of Rs. 39,00,000/- by the petitioner to the opposite party no. 2 Punam Patel on the date of passing of final decree in the matrimonial suit already filed under Section 13(B) of the Hindu Marriage Act before learned Principal Judge, Family Court, Patna. Though it is not mentioned in the joint affidavit, but it is submitted that appropriate application will be filed for withdrawal/compromise in earlier Matrimonial Suit No. 172 of 2015 filed with a prayer for divorce and Maintenance Case No. 310 of 2015, pending in the Court of learned Principal Judge, Family Court, Patna and the present complaint Case being Complaint Case No. 592C of 2015, pending in the Court of learned Sub-Divisional Judicial Magistrate, Patna.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Complaint Case No. 592C of 2015, subject to the conditions as laid down under

Section 438(2) of the Cr.P.C.

It is expected from learned Principal Judge, Family Court, Patna to conclude the matrimonial suit filed under Section 13(B) of the Hindu Marriage Act expeditiously preferably within a period of six months. It is further expected from learned Principal Judge, Family Court, Patna and Sub-Divisional Judicial Magistrate, Patna to conclude the proceeding of Maintenance Case No. 310 of 2015 and Matrimonial Suit No. 172 of 2015 as well as Complaint Case No. 592C of 2015 in accordance with law in view of the present stand of the parties.

Shageer/-

**(Dinesh Kumar Singh, J)**

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