

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 24358 of 2013

Arising Out of PS.Case No. -2150 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Pravawati Devi W/O Shivjee Singh
 2. Shivji Singh S/O Late Nagina Singh
 3. Ganesh Singh @ Ganesh Kumar Singh S/O Shivaji Singh
 4. Ranjit Kumar @ Ranjit Singh S/O Shivaji Singh
 5. Sakuntala Devi @ Shakuntala Singh W/O Ganesh Singh

All resident of Village- Madhuka, P.S- Baniapur, District- Chhapra at
present R/o Village Rangpoo Bazar, P.S- Rangpoo, District- Purvi Sikkim

.... Petitioners

Versus

1. The State of Bihar
2. Archana Singh D/O Sudama Prasad W/O Ranjit Singh Resident of
Village- Pahitiyan, P.S- Hajipur, Distt- Vaishali at present R/O Jamalpur,
P.S- Hajipur Sadar, Distt- Vaishali.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Uday Bhan Singh

For the Opposite Party/s : Mr. Sanjay Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

11. 22-11-2016 Heard Sri Uday Bhan Singh, learned counsel for

petitioners and Sri Sanjay Kumar Singh, learned Addl. Public

Prosecutor. None appeared on behalf of complainant/opposite

party no. 2.

Five petitioners have approached this Court invoking

its inherent jurisdiction under Section 482 of the Code of Criminal

Procedure, 1973 against an order dated 11-05-2012 passed in

complaint case no. 2150 of 2011. By the said order, the learned

Sub Divisional Judicial Magistrate, Hajipur has taken cognizance

of offence under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961

In the present case, initially while issuing notice to opposite party no. 2, a Bench of this Court had directed for staying further proceeding in the court below. Subsequently, the matter was referred to Mediation Centre of the Patna High Court for settling the dispute.

In this case, report of Mediator has been brought on record, which is kept at flag 'A'.

Learned counsel for petitioners submits that dispute has already been settled in between the parties and as per terms of Memorandum of Agreement, entire amount to the tune of **Rs. 7,50,000/-** (seven lacs and fifty thousand) has already been paid to the opposite party no. 2 and in the said agreement, the husband as well as opposite party no. 2 have put their signature.

In view of the fact that the parties have already settled dispute, there is no reason to allow the proceeding in Complaint Case No. 2150 of 2011 to proceed further before the court below i.e. S.D.J.M., Hajipur.

Accordingly, the entire proceeding in Complaint Case No. 2150 of 2011 pending in the court of learned Sub Divisional Judicial Magistrate, Hajipur in terms of agreement is

hereby set aside.

The petition stands allowed.

(Rakesh Kumar, J.)

