

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27792 of 2014

Arising Out of PS.Case No. -188 Year- 2012 Thana -DAUDNAGAR District- AURANGABAD

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Syed Mohammed Sajid Hussain S/o Late Syed Shamshi Zoha R/o Village Pakari Barwan, P.O & P.S Barwan, District- Nawada (Bihar) at present R/o Noor Colony, Block No. A, Quarter no 5, Old Puria Road, Zakir Nagar Road No. 26, West, P.S- Mangu, District- Jamshedpur, Jharkhand

.... Petitioner/s

Versus

1. The State of Bihar
2. Kahakashan Tabassum D/o Late Md. Alamgir Khan R/o Village- Tarari, P.S- Daudnagar, District- Aurangabad (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjum Perveen, Adv
Mr. Gautam Kr. Yadav, Adv
For the Opposite Party no.2: Mr. Shakib Ayaz, adv
Mr. Gheyasuddin Khan, Adv.
For the State : Mr. T.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

8 15-09-2017 Heard learned counsel for the petitioner, State and the counsel appearing on behalf of the opposite party no.2.

In the instant case, petitioner has prayed for quashing of the FIR in Daudnagar P.S. Case No. 188 of 2012 for the offence under sections 498A, 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Counsel appearing on behalf of the opposite party no.2 submits that he has no instruction regarding compromise of the case.

From the order sheet dated 19.7.2017, it appears that



the court was made to understand that the parties are ready to compromise the dispute and as such the case was adjoined.

Since the dispute is between husband and wife and in view of the recent judgment of the Apex Court, the court is expected to explore possibility of compromise between husband and wife in order to restore normal conjugal life and as such this court has granted enough indulgence to the parties so that their dispute may be settled. It appears that now no one is interested on behalf of the petitioner to settle the dispute.

Under the compelling circumstances, the court is left no option but to dispose of the application giving liberty to the parties to approach the court below and the court below is directed to refer the matter to the local mediation centre at Aurangabad so that the dispute between the husband and the wife may be settled amicably and normal conjugal life is restored. In the event parties have agreed to compromise their disputes, the court below will record the compromise irrespective of the offence compoundable or not.

With the aforesaid observation, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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